

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NATIONAL PRODUCTS, INC.,

Plaintiff,

v.

GAMBER-JOHNSON LLC,

Defendant.

Civil Case No. CV08-0049-JLR

**[PROPOSED] SECOND AMENDED  
FINAL PRETRIAL ORDER**

Pursuant to LR 16(h) and 16.1, Plaintiff National Products, Inc. (“NPI”) and Defendant Gamber-Johnson LLC (“Gamber-Johnson”) hereby submit this proposed Final Pretrial Order.<sup>1</sup>

**I. FEDERAL JURISDICTION**

As this is a matter arising under the Lanham Act, 15 U.S.C. § 1125(a), this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1338(a) and 1331. This Court also has subject matter jurisdiction under 28 U.S.C. § 1332 as both parties to this case are citizens of different states and the matter in controversy exceeds \$75,000.

<sup>1</sup> To the extent the parties are able to further resolve evidentiary disputes prior to the final pretrial conference, they have agreed to notify the Court through the filing of an amended Final Pretrial Order, should the Court allow; additionally, the parties have agreed to address any possible inadvertent errors herein by presenting a corrected Final Pretrial Order as soon as possible to the Court.

1       **II.       CLAIMS AND DEFENSES**

2               **A.       NPI's Legal Claims.**

3               1.       False and misleading advertising in violation of the Lanham Act, 15 U.S.C. §  
4       1125(a).

5               **B.       Gamber-Johnson's Legal Defenses.**

6               1.       The accused statements in *The Mounting Evidence* (also referred to as  
7       “Video”) were true.

8               2.       NPI's claims are barred in whole or in part for failure to state a claim upon  
9       which relief can be granted.

10              3.       NPI's claims are barred in whole or in part because accused statements in the  
11       Video constituted puffery or opinion, and are therefore not actionable.

12              4.       NPI has suffered no compensable harm or damage relating to any of the  
13       accused statements in the Video.

14              5.       NPI's claims are barred because no consumers were actually deceived by or  
15       relied upon any statement made in the Video.

16       **III.       ADMITTED FACTS**

17               **A.       The Parties Admit the Following Facts:**

18              1.       NPI competes with Gamber with respect to certain products in the market for  
19       vehicle laptop mounting systems, selling its mounting systems under the trademark RAM®.

20              2.       Beginning May 14, 2007, Gamber distributed CD copies of *The Mounting*  
21       *Evidence* (also referred to herein as the “Video”). In or around June 2007, Gamber, using a  
22       dedicated website, made *The Mounting Evidence* available on the Internet.

23              3.       *The Mounting Evidence* was available at [www.themountingevidence.com](http://www.themountingevidence.com).  
24

1           4.       Between 3,000 to 5,000 CDs of *The Mounting Evidence* were printed.

2           5.       The website [www.themountingevidence.com](http://www.themountingevidence.com) was available from June 1,  
3 2007 to September 9, 2008.

4           6.       NPI filed its complaint on January 15, 2008. Gamber answered NPI's  
5 complaint on February 15, 2008, and denied any liability regarding NPI's asserted claims.

6           **B.       Plaintiff NPI Contends As Follows:**

7           1.       Gamber has made false statements of fact in the video called *The Mounting*  
8 *Evidence*, including the following:

9               a.     *The Mounting Evidence* falsely claims that Dave Long conducted an  
10 analysis and investigation that concluded that Gamber's mounts are  
superior to NPI's, and that NPI's were unsafe.

11              b.     *The Mounting Evidence* falsely claims that Gamber's mounts are superior  
12 to NPI's because they possess front restraints, have parts made of metal  
instead of plastic, are constructed with stronger fasteners, and possess key  
locks that are tamper resistant.

13              c.     *The Mounting Evidence* falsely claims that NPI's mounts are unsafe for  
14 their intended use and are not secure, and that NPI's unsafe mounts can  
result in laptop becoming a projectile or missile in the event of a crash or  
aggressive driving behavior.

15           2.       The claims in *The Mounting Evidence* are literally false.

16           3.       The claims in *The Mounting Evidence* are, at a minimum, misleading.

17           4.       Gamber knew or should have known that the claims in *The Mounting*  
18 *Evidence* were false or misleading.

19           5.       Gamber made the claims in *The Mounting Evidence* with intent to deceive  
20 purchasers and potential purchasers and to influence their purchasing decisions.

21           6.       *The Mounting Evidence* is a commercial advertisement that compares  
22 Gamber's mounts and NPI's mounts.  
23  
24

1           7.       The claims in *The Mounting Evidence* actually deceived and have a tendency  
2 to deceive a substantial segment of the relevant purchasing public.

3           8.       The relevant purchasing public consists of purchasers and potential  
4 purchasers of vehicle computer mounting systems.

5           9.       NPI is entitled to a presumption of actual deception.

6           10.      The claims in *The Mounting Evidence* are material in that they are likely to  
7 influence the purchasing decision of the relevant purchasing public.

8           11.      NPI is entitled to a presumption of materiality.

9           12.      Gamber caused *The Mounting Evidence* to enter interstate commerce.

10          13.      The claims in *The Mounting Evidence* caused injury or are likely to cause  
11 injury to NPI.

12          14.      NPI is entitled to a presumption of causation and injury or likely injury.

13          15.      NPI lost sales as a result of Gamber's false advertising.

14          16.      NPI suffered harm to its reputation and goodwill as a result of Gamber's false  
15 advertising.

16          17.      NPI suffered losses as a result of having to expend substantial resources to  
17 combat the effects of Gamber's false advertising.

18          18.      Gamber made and distributed at least 5000 copies of *The Mounting Evidence*  
19 to its resellers and to prospective customers and encouraged its resellers to use the video as a  
20 sales tool.

21          19.      Even after withdrawing the video from the [www.themountingevidence.com](http://www.themountingevidence.com)  
22 website, Gamber continued to use *The Mounting Evidence* at trade shows, distributed copies  
23 of the video to its resellers and encouraged its resellers to use the video as a sales tool.  
24

1           20.     NPI is entitled to compensation caused by Gamber's false advertising at least  
2 for the period from May 15, 2007 through December 31, 2008.

3           21.     NPI is entitled to an award of Gamber's profits from sales of competing  
4 mounts in an amount that Gamber considers confidential, but which will be proven at trial.

5           22.     NPI is entitled to an award of its actual damages for past and future  
6 corrective advertising in the amount of approximately \$2 million.

7           23.     NPI is entitled to an award of its costs in the action.

8           24.     NPI is entitled to an injunction against dissemination of Gamber's false  
9 advertising and to correct the effects of such false advertising, as well as other equitable  
10 relief.

11          25.     Gamber's false advertising was deliberate and willful, and therefore NPI is  
12 entitled to an award of enhanced damages, in accordance with 15 U.S.C. § 1117(a).

13          26.     NPI is entitled to an award of its reasonable attorneys' fees, in accordance  
14 with 15 U.S.C. § 1117(a).

15           **C.     Defendant Gamber-Johnson Contends As Follows:**

16          1.     This is not a direct comparative advertising case in that the Video discusses  
17 not only NPI but all competitors in the market.

18          2.     NPI cannot prove that any accused statement in the Video was false or  
19 misleading by "tests" where the accused statement did not rely upon "tests".

20          3.     The accused statements made in the Video were true.

21          4.     The accused statements made in the Video were made in good faith and with  
22 a belief in their truthfulness.

23          5.     No accused statement in the Video is literally false.  
24

1           6.       No accused statement in the Video is deceptive or misleading, or likely to  
2 deceive, mislead or confuse consumers.

3           7.       No relevant consumers have been actually deceived by any accused  
4 statement contained in the Video.

5           8.       Even if an accused statement were found to be deceptive or misleading in  
6 context, no such accused statement deceived or misled a substantial segment of relevant  
7 consumers.

8           9.       No statement in the Video is material, in that there is no evidence of record  
9 that any accused statement actually influenced the purchasing decision of any relevant  
10 consumer.

11          10.       Because NPI has offered no evidence of deliberateness and because Gamber  
12 had a good faith basis on which to make the statements in the Video, NPI is not entitled to a  
13 presumption of deception, materiality, causation or injury.

14          11.       Even if NPI is entitled to a presumption of deception or materiality, any such  
15 presumption is rebuttable by evidence that consumers were not deceived or influenced by  
16 any statement in the Video. Likewise, any presumption of injury to which NPI may be  
17 entitled is rebuttable by evidence that NPI in fact did not suffer injury as a result of any  
18 accused statement in the Video.

19          12.       NPI did not suffer any injury as a result of any alleged false statement in the  
20 Video.

21          13.       NPI did not suffer any injury as a result of any alleged deceptive, misleading,  
22 or confusing statement contained in Video.

1           14.     NPI has not established that any accused statement in the Video caused a sale  
2 to be diverted from NPI to Gamber.

3           15.     NPI has not established that any accused statement in the Video caused NPI  
4 to suffer any loss of goodwill or reputation.

5           16.     NPI has not received any communication, verbal or written, from a potential  
6 customer in which that potential customer stated it would not purchase NPI products  
7 because that potential customer watched the Video.

8           17.     NPI has not received any communication, verbal or written, from an existing  
9 NPI customer, in which that existing customer stated it would not purchase NPI products  
10 because that customer watched the Video.

11          18.     NPI is not entitled to an award of alleged lost profits or disgorgement  
12 damages.

13          19.     NPI is not entitled to any alleged profits or disgorgement damages beyond  
14 September of 2008.

15          20.     The Video was directed to a target audience, not the public in general.

16          21.     In or around September 2008, Gamber voluntarily ceased using The  
17 Mounting Evidence within its company, and ceased distributing hard copies of the Video to  
18 its re-sellers and customers. At this time, Gamber also voluntarily de-activated the website  
19 [www.themountingevidence.com](http://www.themountingevidence.com), and removed the link to the Video from its own website,  
20 [www.gamberjohnson.com](http://www.gamberjohnson.com).

21          22.     Any injury or loss suffered by NPI is attributed to factors other than accused  
22 statements in the Video.

1           23.     NPI's sales do not reflect that it suffered any injury or loss during the time  
2 period the Video was available.

3           24.     NPI cannot show any entitlement to recovery for alleged future corrective  
4 advertisement and there is no evidence of record that NPI has done any past corrective  
5 advertisement in response to any alleged confusion caused by the Video.

6           25.     No accused statement in the Video caused Gamber to earn any profit.

7           26.     The accused statements in the Video were not made with willful or malicious  
8 intent.

9           27.     The accused factual statements in the Video were true and concerned actual  
10 differences between Gamber's products and the relevant products of its competitors.

11          28.     The Video does not state that NPI's products are unsafe.

12          29.     The Video does not state that NPI's mounts are not airbag friendly.

13          30.     The Video does not state that Gamber's mounts are superior to NPI's  
14 mounts.

15          31.     The Video does not state that NPI's products will not survive impact in the  
16 event of an airbag deployment or in challenging driving conditions.

17          32.     The Video does not state that Grade A bolts are inadequate or inappropriate  
18 for use in a vehicle laptop mounting system.

19          33.     Because the Video does not claim to be based on "tests" or "testing", NPI  
20 cannot challenge the alleged false or misleading statements in the Video by introducing  
21 evidence of tests.

22          34.     The Video stated that information set forth therein was accurate at the time of  
23 its production.  
24



1           35.     Dave Long is known as the “Airbag Detective” because of his work with the  
2 NHTSA and other agencies regarding airbag safety issues.

3           36.     Dave Long speaks nationally regarding airbag safety issues and has authored  
4 several articles on the topic.

5           37.     Dave Long has testified as to his review and analysis of the applicable  
6 mounting systems.

7           38.     The term “appropriate” is not defined in the Video.

8           39.     There were no front restraints available on the RAM laptop mount discussed  
9 in the Video at the time the Video was made.

10          40.     The fact that an improperly mounted laptop can become a projectile in the  
11 event of an airbag deployment has been the subject of an NHTSA bulletin.

12          41.     As of May 14, 2007, Gamber used grade five bolts for its mounting system  
13 shown in the Video, and NPI used a grade A bolt.

14          42.     NPI developed a locking top device for the Tough Tray shown in the Video  
15 after May 14, 2007.

16          43.     NPI reseller Mobile Desk offered to sell to certain Comcast locations in 2007  
17 a mounting system known as the “Xtreme” which did not have a locking top.

18          44.     After May 31, 2007, Mobile Desk developed a mounting system known as  
19 the “Fuzion,” which included a locking top mechanism, and made sales of the product to  
20 certain Comcast locations.

21          45.     After NPI’s cradles or docks were subjected to and passed GDI’s testing  
22 requirements related to GDI’s XR-1 and Duo-Touch products, and certified by GDI, NPI  
23 sold its products to GDI.  
24

1           46..     Sometime after the release of the Video NPI became an OEM partner with  
2 GDI.

3           47.     NPI's characterization of the accused false statements in the Video, as set  
4 forth in Section III. B.1, a through c inclusive, herein are contrary to this Court's ruling on  
5 Summary Judgment, Docket No. 139.

6 **IV.     ISSUES OF LAW**

7 **A.     Plaintiff's Statement Regarding Issues of Law**

8           1.     Whether NPI is entitled to recover enhanced damages under the Lanham Act,  
9 15 U.S.C. § 1117(a).

10          2.     Whether this is an exceptional case under the Lanham Act, 15 U.S.C.  
11 § 1117(a), for which NPI is entitled to recover its attorneys' fees.

12          3.     Whether NPI is entitled to injunctive relief or other equitable remedies for  
13 Gamber's false advertising.

14 **B.     Defendant's Statement Regarding Issues of Law**

15          1.     Whether NPI has demonstrated that it is entitled to a presumption that  
16 consumers were confused or deceived by any accused statement in the Video.

17          2.     Whether NPI has demonstrated that it is entitled to a presumption that any  
18 accused statement in the Video was material, in that it influenced the purchasing decisions  
19 of a substantial segment of relevant consumers.

20          3.     Whether NPI has demonstrated that it is entitled to a presumption that it was  
21 injured by any accused statement in the Video.

22          4.     Whether NPI has demonstrated that any of its alleged damages are  
23 attributable to alleged false statements in the Video.  
24

1           5.       Whether the disclaimer in the Video that all statements contained therein  
2 were accurate as of the time of filming bars one or more of NPI's claims against Gamber.

3           6.       Whether NPI can establish consumer confusion without presenting third-  
4 party evidence in the form of a consumer survey or consumer testimony.

5           7.       Whether NPI has demonstrated that it is entitled to any corrective  
6 advertisement award.

7           8.       Whether NPI's assertions related to "product testing" are admissible or  
8 relevant to any claim in this case.

9           9.       Whether this case is "exceptional" entitling the prevailing party to an award  
10 of attorneys' fees under the Lanham Act.

11          10.       Whether "extenuating circumstances" exist precluding enhanced damages or  
12 any award of attorneys' fees to NPI under the Lanham Act.

13          11.       Whether any accused statements in the Video is non-actionable puffery, a  
14 non-actionable vague or subjective claim of product superiority, or a non-actionable  
15 opinion.

16       **V.       EXPERT WITNESSES**

17           **A.       Plaintiff's Experts**

- 18           1.       Dr. Steve Nowlis  
19               Contacted through counsel  
20               Fenwick & West LLP  
21               1191 Second Avenue, 10<sup>th</sup> Floor  
22               Seattle, WA 98101  
23               (206) 262-8900  
24

1           2.    Scott Hampton  
2                Contacted through counsel  
3                Fenwick & West LLP  
4                1191 Second Avenue, 10<sup>th</sup> Floor  
5                Seattle, WA 98101  
6                (206) 262-8900

7           3.    Dr. David Eby  
8                Contacted through counsel  
9                Fenwick & West LLP  
10              1191 Second Avenue, 10<sup>th</sup> Floor  
11              Seattle, WA 98101  
12              (206) 262-8900

13           **B.     Defendant's Experts**

14           1.    Carl Degen  
15                Christensen Associates  
16                800 University Bay Drive, Suite 400  
17                Madison, WI 53705-2299  
18                608-231-2266

19           2.    Dr. Ran Kivetz  
20                52 East End Avenue  
21                Suite 7B  
22                New York, NY 10028  
23                646-784-1354

24           3.    R.D. Harris, M.E., P.E.  
                Engineering Design & Testing Corp.  
                1105 State Street  
                Cayce, SC 29033  
                803-791-8800

**VI.    OTHER WITNESSES**

**A.     Plaintiff's Other Witnesses**

1           1.    Jeff Carnevali  
2                President/CEO  
3                National Products, Inc.  
4                1205 S. Orr St.  
5                Seattle, WA 98108  
6                (206) 763-8361

2. Chad Remmers  
Manager of Marketing  
National Products, Inc.  
1205 S. Orr St.  
Seattle, WA 98108  
(206) 763-8361
3. Jeff Greene, Scott Zuelke, Jennifer Gurendt and Jason Lewandowski  
Gamber-Johnson LLC  
3001 Borham Avenue  
Stevens Point, WI 54481
4. David Long  
2279 154<sup>th</sup> Lane NW  
Andover, MN 55304  
(763) 754-0967
5. Thomas Marks & Associates  
One Corporate Drive, Suite 404  
Wausau, WI 54401  
(715) 848-5263
6. Winston Douglas Mayer  
Mobile Desk SVP, Inc.  
702 North 21<sup>st</sup> Avenue  
Phoenix, AZ 85009  
(877) 663-3375
7. Jim Vercruyssen  
(Formerly of General Dynamics/Itronix)  
1127 W. 18<sup>th</sup> Avenue  
Spokane, WA 99203
8. Howard Pace and Richard Gardner  
General Dynamics/Itronix  
12825 East Mirabeau Parkway  
Spokane Valley, WA 99216  
(509) 624-6600
9. Mike Schiller  
Comcast Inc.  
California
10. Brian Belcher and Larry Alexander  
Mobile Mounting Solutions, Inc.

11. Kelly Sampson and Brian Wagner  
Gamber-Johnson LLC  
3001 Borham Avenue  
Stevens Point, WI 54481
12. Wendy Hunter  
Emounts  
230 N. Milwaukee Avenue  
Vernon Hills, IL 60061
13. Dennis Jones  
Comcast Inc.  
California
14. Josh Simes  
Comcast Inc.  
California
15. Boyd Bryant  
3200 Cedar Street  
Everett, WA 98201
16. Kelly Clark, Esq.  
Director of Professional and Litigation Services  
Teris  
1001 Fourth Avenue, Suite 2110  
Seattle, WA 98154
17. Kurt F. Schoeni  
Captain of Patrol  
Oshkosh Police Department  
Oshkosh, WI 54903
18. Aaron Hersey  
National Products, Inc.  
1205 South Orr Street  
Seattle, WA 98108  
206-763-8361

**B. Defendant's Other Witnesses**

1. Jeff Carnevali  
NPI  
1205 South Orr Street  
Seattle, WA 98108  
206-763-8361

- 1                    2.    Chad Remmers  
2                        NPI  
3                        1205 South Orr Street  
                          Seattle, WA 98108  
4                        206-763-8361
- 5                    3.    Aaron Hersey  
6                        NPI  
                          1205 South Orr Street  
                          Seattle, WA 98108  
7                        206-763-8361
- 8                    4.    David Wilkinson  
9                        NPI  
                          1205 South Orr Street  
                          Seattle, WA 98108  
10                      206-763-8361
- 11                   5.    Michael Turner  
12                      NPI  
                          1205 South Orr Street  
                          Seattle, WA 98108  
13                      206-763-8361
- 14                   6.    Jeffrey Greene  
15                      1525 Casey Court  
16                      Pullman, WA 99163  
17                      509-592-5432
- 18                   7.    Jennifer Guerndt  
19                      371 Scout Road  
20                      Mosinee, WI 54455  
                          715-841-1906
- 21                   8.    Brian Wagner  
22                      Gamber-Johnson LLC  
                          3001 Borham Avenue  
                          Stevens Point, WI 54481  
23                      715-344-3790
- 24                   9.    Dave Long  
                          115 4<sup>th</sup> Street North  
                          Middle River, MN 56737  
                          218-469-4047

10. Winston Douglas Mayer  
Mobile Desk SVP, Inc.  
702 North 21<sup>st</sup> Avenue  
Phoenix, AZ 85009  
877-663-3375
11. Mike Schiller  
Comcast Inc.  
California
12. Dennis Jones  
Comcast Inc.  
California
13. Joshua Simes  
Comcast Inc.  
California
14. Jason Lewandowski  
Gamber-Johnson LLC  
3001 Borham Avenue  
Stevens Point, WI 54481  
715-344-3790
15. Brian Belcher  
Mobile Mounting Solutions, Inc.  
406 Interchange Street, Suite A  
McKinney, TX 75071  
972-569-6927
16. Scott Zuelke  
Mobile Mounting Solutions, Inc.  
406 Interchange Street, Suite A  
McKinney, TX 75071  
972-569-6927
17. Kelly Sampson  
Gamber-Johnson LLC  
3001 Borham Avenue  
Stevens Point, WI 54481  
715-344-3790



- 1           18. Thomas Marks  
2               Thomas Marks & Associates  
3               One Corporate Drive, Suite 404  
              Wausau, WI 54401  
              715-848-5263
- 4           19. Jim Vercruyssen  
5               1127 W. 18<sup>th</sup> Avenue  
              Spokane, WA 99203
- 6           20. Howard Pace  
7               General Dynamics/Itronix  
8               12825 East Mirabeau Parkway  
              Spokane Valley, WA 99216  
              509-624-6600
- 9           21. Richard Gardner  
10               General Dynamics/Itronix  
11               12825 East Mirabeau Parkway  
              Spokane Valley, WA 99216  
              509-624-6600

12           **VII. DEPOSITION DESIGNATIONS**

13               Attached hereto as Exhibit 1, please find a copy of Plaintiff's Deposition  
14           Designations.

15               Attached hereto as Exhibit 2, please find a copy of Defendant's Objections and  
16           Counter-Designations to Plaintiff's Deposition Designations.

17               Attached hereto as Exhibit 3, please find a copy of Defendant's Deposition  
18           Designations and Plaintiff's Objections.

## VIII. EXHIBITS

### A. Admissibility Stipulated.

#### 1. Plaintiff's Exhibits

Pl.'s Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
1		01/14/08	Complaint	Greene 30b6 001
2		01/15/08	Amended Complaint	
3		04/00/07	The Mounting Evidence DVD and Jacket	Long 032 Zuelke 138 Gardner 006 Vercruyssen 009
5	NPI000022 – NPI000023	01/11/08	Screenshots of themountingevidence.com and gamberjohnson.com	
34	NPI16581		Physical Exhibit - RAM mounting system, including Tough Tray, for the Crown Victoria	Eby 001
35	NPI16582		Physical Exhibit - Ram Tough Tray with Secure- in-Motion Kit	Eby 004

#### 2. Defendant's Exhibits<sup>2</sup>

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-1			Physical Exhibit - Gamber Johnson NP-Notepad4 DS-124 (2004 Ford F-150 DS-Base) DS-Lower-7 (DS-Lower Pole, 7") QADJ-Upper-M (Quick Adjust Upper Tube Assembly (8.00")) DS-Clevis (Tilt Swivel for DS Base)	
A-2			Physical Exhibit - RAM-VB-109-SW1, Vehicle System 2004-Newer F150	
A-3			Physical Exhibit - RAM-234-SNMU, RAM Secure-N-Motion Kit	
A-5			Physical Exhibit - Mobile Desk 10-D-R (XTREME Computer Work Station with Spring Adj Top, Regular Length Pedestal) w/ VB- 110 (No Drill Base Plate for 97-03 F150 &	

<sup>2</sup> Defendant intends only to stipulate to admissibility of exhibits for which stipulations are expressly identified. Defendant does not stipulate to admissibility of any exhibit on its exhibit list by virtue of identification thereof as a potential trial exhibit.

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
			Expedition Trucks (F/X:R) Include Grade 5 Mounting Bolts	
A-6			Physical Exhibit - Mobile Desk 10-Fuzion-R (Fuzion Desk with Locking Top & Pedestal, Clevis, Articulating Arms, and Regular Length Pedestals) w/ VB-110 (No Drill Base Plate for 97-03 F150 & Expedition Trucks (F/X:R) Include Grade 5 Mounting Bolts	
A-106	NPI 04314- NPI 04316	12/11/07	E-mail to Jeff Carnevali from Doug Mayer	
A-117		2/15/08	Answer to Amended Complaint and Affirmative Defenses with Jury Demand	

**B. Authenticity Stipulated Admissibility Disputed.**

**1. Plaintiff's Exhibits**

Pl.'s Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
7		01/04/10	Declaration of Dr. David J. Eby, P.E. in Support of Plaintiff's Opposition to Defendant's Motion for Summary Judgment	
8		01/04/10	Declaration of Dr. Stephen M. Nowlis, in support of Plaintiff's Opposition to Defendant's Motion for Summary Judgment	
9		10/26/09	Expert Report of David J. Eby	Eby 002
10		10/26/09	Expert Report of Dr. Stephen Nowlis	
11		10/26/09	Expert Report of Scott D. Hampton	
12		11/30/09	Expert Rebuttal Report by Dr. David J. Eby, P.E.	
13		11/30/09	Expert Report of Dr. Stephen Nowlis	Kivetz 402
14		11/30/09	Expert Rebuttal Report of Scott D. Hampton	
15		06/09/08	Defendant Gamber-Johnson's Responses to Plaintiff's First Set of Requests for Production	
16		08/25/08	Defendant Gamber-Johnson's Responses to Plaintiff's Second Set of Requests for Production	
17		11/24/08	Defendant Gamber-Johnson's Responses to Plaintiff's Third Set of Requests for Production	
18		12/15/09	Defendant Gamber-Johnson's Responses to Plaintiff's Fourth Set of Requests for Production	

Pl.'s Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
19		08/25/08	Defendant Gamber-Johnson's Responses to Plaintiff's First Set of Interrogatories	
20		11/24/08	Defendant Gamber-Johnson's Responses to Plaintiff's Second Set of Interrogatories	
21		11/24/09	Defendant Gamber-Johnson's Responses to Plaintiff's Third Set of Requests for Production	
22		01/21/09	Defendant Gamber-Johnson's Supplemental Responses to Plaintiff's Interrogatory Nos. 9, 11, 17-18, and 21	
23		12/15/09	Defendant Gamber-Johnson's Responses to Plaintiff's First Set of Requests for Admissions Nos. 1-13	
34	NPI16581		Physical Exhibit - RAM mounting system, including Tough Tray, for the Crown Victoria	Eby 001
35	NPI16582		Physical Exhibit - Ram Tough Tray with Secure-in-Motion Kit	Eby 004
36	NPI16583		Physical Exhibit - Panasonic Toughbook CF-28	Eby 006
44			RAM discount schedule	Mayer 016
70	DL000028 - DL000032	11/22/01	Airbag Safety in the Patrol Car	Long 005
72	DL000005 - DL000006	08/02/02	U.S. Department of Transportation National Highway Traffic Safety Administration National Center for Statistics & Analysis Special Crash Investigations: Aftermarket Equipment in Safety Vehicles Bulletin	Long 006
73	DL000014 - DL000016	08/07/02	Police Officers Face New Hazard: Assault by Air Bag	Long 007
74	DL000007 - DL000010	12/01/02	Mismounted Equipment - Installing equipment in the direct path of an air bag can pose a serious threat to police officers by D. Long et al.	Long 008
80	NPI16614 - NPI16616	10/25/03	J. Carnevali email to J. Greene re RAM iPaq Cradle Progress for Gamber Johnson	
81	NPI16617 - NPI16618	10/26/03	J. Greene email to J. Carnevali re RAM iPaq Cradle Progress for Gamber Johnson	
82	GJ000003	00/00/04	The Truth About Trucks Video	Long 018
83	NPI16619 - NPI16621	01/11/04	J. Carnevali email to S. Zuelke re DVD Photo Disk for RAM Mount Re-Sellers	
84	GJ130560 - GJ130562	01/27/04	J. Greene email to B. Trembl et al. re New RAM Vehicle Mounts & Re-Seller Opportunities	Zuelke 121 Greene 005

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
85	NPI16622 - NPI16622	02/06/04	J. Carnevali email to J. Greene re NPI & Gamber Johnson Business Relations in 2005	
86	NPI16623 - NPI16625	02/10/04	J. Carnevali email to J. Greene re NPI & Gamber Johnson	
87	GJ130800 - GJ130802	05/21/04	7th Annual Gamber-Johnson Training Conference - May 21st-22nd, 2004	Long 009
88	DL000053 - DL000054	05/22/04	Seatbelt and Airbag Survey - Gamber Johnson	Long 011
89	DL000055 - DL000056	05/22/04	Gamber Johnson First to Host Airbag Safety Seminar on Laptops and Airbags	Long 012
90	GJ151420 - GJ151423	06/16/04	J. Guerndt email re Gamber News	Long 010
95	GJ239541 - GJ239542	12/08/05	S. Zuelke email to J. Guerndt et al. re RAM Mount Monthly News	Zuelke 126 Greene 007
96	GJ258479	00/00/06	Docking Stations for Itronix Computers	Vercruyssen 002
97	GJ145039 - GJ145041	03/01/06	S. Zuelke email to D. Bliven et al. re New RAM Product Update	Zuelke 127
98	NPI015990 - NPI015993	03/13/06	Installation instructions for Universal NotePad, NotePad4, and NotePad4-XL	Eby 007
99	GJ290263	03/30/06	S. Zuelke email to J. Herring et al. re Vertical console box	Zuelke 128
100	GJ297439 - GJ297457	06/07/06	Gamber-Johnson Mounting Systems - 2006 Product Plan	Zuelke 122
101	GJ290293; GJ290301	06/07/06	Competition Assumptions for Market Segment	Zuelke 123 Greene 008
102	GJ290293 - GJ290338	06/07/06	J. Guerndt email to J. Herring and R. Jensen re Competitive Info	
103	GJ297412; GJ297421; GJ297439 - GJ297457	06/08/06	J. Herring email to R. Quimby et al. re Profiles and Comparison	Greene 009
109	MMS001428 - MMS001430	10/05/06	J. Greene email re Gamber-Johnson and National Products Settlement	Greene 013
110	GJ300827 - GJ300828	10/05/06	Email attaching J. Greene letter to T. Marks re NPI press release	Greene 015
111	GJ296962- GJ296963	10/05/06	Email attaching J. Greene letter to T. Marks re NPI press release	Zuelke 132 Greene 014
112	GJ287267	10/31/06	W. Perrin email to J. Greene re Ledco	Greene 016

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
113	GJ337797 - GJ337798	11/20/06	J. Guerndt email to S. Zuelke re Budget cuts	Zuelke 134 Guerndt 001
115	GJ305684	11/22/06	Gamber Johnson Marketing 2007 Budget Analysis	Guerndt 003
116	GJ136288 - GJ136329	11/22/06	S. Zuelke email to J. Greene and J. Herring re Integrated Marketing Plan - 2007	Guerndt 30b6 002 Zuelke 135 Greene 019 Guerndt 002
117	GJ336973 - GJ337001	12/08/06	J. Greene email to H. Brevig et al. re PowerPoint Presentation	Zuelke 136 Greene 018
118	GJ338284 - GJ338285	12/13/06	S. Zuelke email to J. Herring et al. re Dallas Police Union Concern Regarding Airbag Deployment	Zuelke 137
119	GJ371807.001- GJ371807.005	12/31/06	GJ Statement of Operations, 2006 Actual	Wagner 30b6 046
121	GJ000029 - GJ000030	00/00/07	Handwritten notes re DVD project	Greene 30b6 012 Long 020 Zuelke 140
122	GJ000061	00/00/07	Competitive Product Comparison DVD project outline	Greene 30b6 013 Long 021
123	GJ000043 - GJ000045	00/00/07	Spreadsheet w/ comments re vehicle mounting systems (Annotated)	Greene 30b6 014 Long 022 Zuelke 146
124	GJ000508 - GJ000509	00/00/07	Handwritten notes re vehicle mounting systems	Greene 30b6 017
125	GJ001712 - GJ001714	00/00/07	GJ 2007 & 2008 Tradeshow Schedules	Guerndt 037
126	GJ001104 - GJ001107	00/00/07	Address Labels for GJ Resellers	Guerndt 30b6 004
127	GJ079517 - GJ079520	00/00/07	Address Labels for GJ Resellers and OEMs	Guerndt 30b6 005
128	GJ123541	00/00/07	K. Sampson letter to General Dynamics Itronix	Guerndt 30b6 014
130	DL000004	00/00/07	D. Long Résumé	Long 003 Greene 008
131	GJ000033 - GJ000034	00/00/07	Handwritten notes	Zuelke 139

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
132	GJ000494 - GJ000507	00/00/07	The Mounting Evidence script (Annotated)	Zuelke 141
133	GJ000464 - GJ000469	00/00/07	Handwritten notes re vehicle mounting systems	Zuelke 145 Guerndt 008 Lewandowski 002
134	MD002427 - MD002434	00/00/07	Mobile Desk-Comcast brochure for Option1 - Option8	Simes 004
135	TMA000009	01/26/07	ProVideo Invoice No. 19643	
136	DL000062	02/02/07	S. Zuelke email to D. Long re Opportunity D. Long (Annotated)	Long 013 Guerndt 006 Zuelke 143
137	GJ000447	02/02/07	S. Zuelke email to J. Guerndt re Product Video project	Zuelke 142 Guerndt 004 Lewandowski 001
138	DL000063	02/05/07	S. Zuelke email to D. Long et al. re Call info for today	Long 014 Guerndt 006 Zuelke 143
139	GJ000455 - GJ000463	02/09/07	Receipts for Ledco, Jotto, and RAM mounting systems	
140	TMA000010	02/13/07	Thomas Marks and Associates Invoice No. GJ- 41285	
141	GJ315589 - GJ315590	02/16/07	T. Reiter email to J. Herring re Palm Beach Cty Sheriff's Office Proposal	Greene 027
142	GJ000458	02/16/07	SIRENNET.COM Invoice No. 0057846-IN	Greene 30b6 003
143	GJ000004	02/19/07	D. Long Audition Video	Long 015
144	TMA000011	02/20/07	Thomas Marks and Associates Invoice No. GJ- 41292 and payment stub	
145	TMA000012	02/20/07	Thomas Marks and Associates Invoice No. GJ- 41292	
146	TMA000013	02/25/07	News 7 Invoice Number 9900-01 to Thomas Marks & Assoc	Long 016
147	TMA000014	03/08/07	Thomas Marks and Associates Invoice No. GJ- 41312	
148	TMA000081 - TMA000082	03/12/07	T. Marks email to S. Zuelke and A. Zondlo re Dave Long	Greene 30b6 009

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
150	TMA000083 - TMA000084	03/13/07	A. Zondlo email to T. Marks re Scott	Greene 30b6 010
152	GJ129662	03/19/07	S. Zuelke email to J. Greene re DVD Title (Redacted)	Greene 021
153	DL000060 - DL000061	03/19/07	Envelope from Gamber Johnson to D. Long	Long 017
154	TMA000092	03/21/07	S. Zuelke email to T. Marks re The Mounting Evidence	Greene 30b6 011 Zuelke 144 Guerndt 007
156	TMA000016	03/21/07	Thomas Marks and Associates Invoice No. GJ- 41320	
157	GJ103247	03/23/07	Spreadsheet w/comments re vehicle mounting systems	Zuelke 147 Eby 005 Guerndt 008 Lewandowski 003
158	TMA000094 - TMA000095	03/23/07	S. Zuelke email to T. Marks re script	Greene 30b6 018
160	TMA000102 - TMA000105	03/29/07	A. Zondlo email to T. Marks and M. Rothmeyer re Gamber-Johnson' Connect 4 Tomorrow	Greene 30b6 019
161	TMA000106 - TMA000108	03/29/07	S. Zuelke email to T. Marks and A. Zondlo re script	Greene 30b6 020
162	TMA000114 - TMA000121	03/29/07	S. Zuelke email to T. Marks	Greene 30b6 021 Long 024
163	DL000064	03/29/07	S. Zuelke email to D. Long re wardrobe	Long 023
165	DL000083 - DL000095	03/30/07	The Mounting Evidence script - Revised script 070330.doc	Long 026
166	TMA000124 - TMA000137	03/30/07	S. Zuelke email to T. Marks re Revised Script 070330.doc	Marks 044 Long 025 Zuelke 148
167	TMA000141 - TMA000143	03/31/07	S. Zuelke email to J. Herring et al. re News Update at RAM Mounts & NPI	Greene 30b6 023
170	DL000071 - DL000082	04/00/07	The Mounting Evidence script (annotated)	Long 027 Greene 025
171	TMA000144 - TMA000158	04/01/07	T. Marks email to S. Zuelke re scripts	Marks 045



PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
173	TMA000182 - TMA000191	04/05/07	S. Zuelke email to T. Marks re scripts	Marks 047
175	GJ000010 - GJ000016	04/06/07	Host Agreement between Gamber-Johnson and D. Long	Greene 30b6 027 Long 030 Greene 023
176	GJ000007 - GJ000009	04/11/07	Statement of Work between Gamber-Johnson and Thomas Marks & Associates, Inc.	Greene 024 Greene 026
177	GJ343296 - GJ343301	04/18/07	Gamber Johnson 2007 1st Quarter Review, April 18, 2007	Greene 025
178	TMA000017	04/19/07	Thomas Marks and Associates Invoice No. INV-1009 and payment stub	
179	TMA000018	04/19/07	Thomas Marks and Associates Invoice No. INV-1009	
181	GJ000035 - GJ000040	04/27/07	The Laptop Mounting Evidence Video Invoice and receipts from D. Long	Long 028 Greene 028
182	GJ000565 - GJ000570	04/30/07	Various invoices re The Mounting Evidence production costs	
183	TMA000254 - TMA000257	05/02/07	A. Zondlo email to K. Huber re FINAL COPY for GJ CD sleeve info	Marks 048 Guerndt 010
184	TMA000258 - TMA000259	05/02/07	S. Zuelke email to T. Marks et al. re CD sleeve info	Zuelke 151
196	GJ093192 - GJ093193	05/22/07	S. Zuelke email to T. DiBenedetto re DVD's	Guerndt 30b6 026 Zuelke 153
199	GJ000394 - GJ000408	05/29/07	S. Zuelke email to J. Greene and J. Herring re www.themountingevidence.com.pps	Greene 30b6 032
201	GJ348488 - GJ348503	05/29/07	S. Zuelke email to resellers re Powerful new sales tool from Gamber-Johnson	Guerndt 30b6 007 Zuelke 154
202	CDW000015 - CDW000029	05/29/07	T. Grimes email and attachment to H. Thomas III and J. Mangano re Powerful new sales tool from Gamber-Johnson	
203	GJ142617 - GJ142618	05/30/07	S. Zuelke email to R. Garski and K. Sampson re The Mounting Evidence letter	Guerndt 30b6 009 Zuelke 155
204	GJ320557 - GJ320559	05/31/07	C. Bikowski email to R. Jensen et al. re literature request form	Guerndt 30b6 010

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
205	TMA000339 - TMA000347	05/31/07	A. Zondlo email to T. Marks re Connect 4 Tomorrow Evaluation Results	Marks 049 Zuelke 156
206	TMA000022	05/31/07	ProVideo Invoice No. 19917	
208	GJ217789	06/01/07	T. Reiter email to K. Goddard re New GJ Website Competitive Comparisons	Guerndt 30b6 011
210	GJ312542	06/04/07	S. Zuelke calendar invitation to J. Guerndt	Zuelke 158
211	GJ001114 - GJ001150	06/08/07	2007 Connect 4 Tomorrow post-conference attendee surveys	Guerndt 012
212	GJ264020 - GJ264022	06/12/07	K. Sampson email to C. Bikowski re Itronix conference	Guerndt 30b6 029
213	GJ264034 - GJ264035	06/13/07	K. Sampson email to J. Greene re Meeting Follow Up	Guerndt 30b6 030
214	GJ234252 - GJ234269	06/14/07	J. Guerndt email to Gamber-Johnson Resellers re Powerful new sales tool from Gamber-Johnson	Guerndt 30b6 008 Belcher 105 Greene 30b6 034
215	GJ333226 - GJ333228	06/18/07	T. Reiter email to J. Guerndt re Tom Grimes Catalogs Etc.	Guerndt 30b6 031
217	GJ310010	06/26/07	J. Guerndt email re InSite Metrics	Guerndt 30b6 012
218	GJ310022 - GJ310024	06/27/07	M. Yager email to J. Guerndt re RAM Mounting Systems	Guerndt 016
219	GJ264067	06/27/07	K. Sampson email to J. Herring re CD	Guerndt 30b6 013
223	GJ116194 - GJ116195	07/08/07	GJ Partnership Conference Itinerary, July 8th - July 11th 2007	Guerndt 30b6 032 Guerndt 018
224	GJ310246 - GJ310247	07/16/07	T. Reiter email to J. Guerndt and C. Bikowski re CD's for CDW-G	Guerndt 30b6 033
225	GJ223938	07/18/07	Outlook Calendar Meeting re Panasonic CF19 Shipments	Guerndt 017
226	MD000251 - MD000254	07/19/07	T. Reed email to D. Mayer re Laptop Mounts	Simes 003
228	COMCAST0000 20	07/23/07	M. Schiller email to S. LeBlanc et al re Docking Stations for our Vans and Trucks	Schiller 001
229	GJ236197 - GJ236199	07/24/07	J. Guerndt email to J. Herring et al. re Panasonic TP3 Summer Session Sponsor Info	Guerndt 019

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
230		07/24/07	J. Simes email to D. Mayer re Laptop Mounts	Mayer 009
231	GJ310452	07/24/07	J. Guerndt email to S. Oniel re TP3 Collateral	
232	GJ264205 - GJ264208	07/26/07	K. Sampson email to H. Pace re Ledco Competitive info	Gardner 003
233	GJ310528	07/27/07	D. Bliven email to J. Trzebiatowski et al. re Mounting Evidence Link on GJ homepage	Guerndt 30b6 016
234	COMCAST0000 16 - COMCAST0000 19	07/31/07	J. Simes email to M. Schiller and B. Miller re Laptop Mounts	Simes 001
237	GJ307857 - GJ307861	08/14/07	C. Bikowski email to T. Reiter and K. Goddard re FRI Exhibitors News	Guerndt 022
238	MMS001756 - MMS001757	08/14/07	M. Schiller email to L. Alexander re Quote for vehicle mounts	Schiller 002
239	GJ307852	08/14/07	C. Bikowski email to E. Hatch re FRI Virtual Media Office	
240	GJ307872	08/17/07	C. Bikowski email to J. Trzebiatowski re Request for info	Guerndt 023
243	GJ001684.001 – GJ00184.004	08/29/07	Leads Spreadsheet	Guerndt 024
244	MD002418	08/31/07	Mobile Desk Invoice to Comcast/West Bay, No. 28013	Jones 001
245	GJ142723	09/04/07	J. Turro email to C. Bikowski re USDA Forest Service	Guerndt 30b6 017
246	TMA000024	09/05/07	Thomas Marks and Associates Invoice No. INV- 1376	
247	GJ333273 - GJ333277	09/12/07	T. Reiter email to K. Sampson re BlueStar VARTECH Show	
248	GJ142753	09/13/07	J. Guerndt email to K. Sampson re mtg evidence cover letter	Guerndt 30b6 018
249	MMS000143 - MMS000144	09/14/07	L. Alexander email to R. Quimby et al re Comcast	Belcher 106
250	MD002417	09/14/07	Mobile Desk Quote to Comcast/West Bay, No 678	Mayer 002 Jones 003
251	MMS000169 - MMS000173	09/17/07	L. Alexander email to D. Jones re Gamber- Johnson Mounting Solutions	Jones 002
252	MMS001729 - MMS001730	09/17/07	B. Belcher email to D. Jones re Revised Price Quotation	Jones 004

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
253	GJ220571	09/19/07	J. Greene email to B. Belcher re Comcast Discount	Belcher 118
254	GJ216840	09/20/07	J. Guerndt email to T. Reiter re Another lead	Guerndt 30b6 019
255	GJ246065 - GJ246066	09/21/07	T. Wootton email to K. Goddard re Gamber- Johnson Ford Explorer Mount	Guerndt 025
256	NPI01021- NPI01026	09/21/07	J. Jankowsky email to A. Hersey re RAM Mount contact	
257	GJ246067 - GJ246068	10/03/07	J. Herring email to K. Goddard re Gamber- Johnson Ford Explorer Mount	
258	GJ146460 - GJ146461	10/05/07	K. Gerhardt email to D. Bliven re InSite Metrics	Guerndt 30b6 020
259	GJ307166 - GJ307228	10/19/07	J. Greene email to V. Bruske re 2008 Integrated marketing plan	Guerndt 026
260	MMS000302 - MMS000304	10/19/07	K. Giles email to B. Belcher et al. re Rollout Priority	Jones 005
261	GJ134500 - GJ134501	10/22/07	2007 Survey Results Overview	Zuelke 162
263	MMS000340 - MMS000413	10/23/07	M. Schiller email to B. Belcher re Contact	Schiller 003 Belcher 116
264	COMCAST0000 05 - COMCAST0000 06	10/23/07	J. Simes email to S. Sims and S. Stainbrook re Final thoughts on Laptop mount	Simes 002
265	GJ312795 - GJ312796	10/25/07	T. Marks email to J. Guerndt re 2008 Proposed Plan and Budget	
266	MMS002070 - MMS002092	10/31/07	Invoice #702241 for \$22,481.71 to West Bay (Dennis Jones)	
267		11/01/07	J. Carnevali email to D. Mayer re Emailing: DSC01900.JPG, DSC01901.JPG, DSC01903.JPG, DSC01907.JPG, DSC01909.JPG, DSC01910.JPG, DSC01911.JPG, DSC01912.JPG, DSC01899.JPG	Mayer 010
268	NPI006903 - NPI006906	11/07/07	D. Mayer email to C. Remmers	Mayer 001
269	GJ271310	11/08/07	R. Quimby email to D. Mayer re Gamber Johnson Credit References Document	Mayer 006
270	MMS000449	11/12/07	B. Belcher email to D. Jones re Mount Swap Out	Jones 006
271	MMS002059 - MMS002069	10/31/07	Invoice #702242 for \$28,242.16 to West Bay (Giles)	

Pl.'s Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
272	MMS002041 - MMS002049	11/13/07	Invoice #702276 for \$20,977.86 to West Bay (Taliva'a)	
273	MMS002050 - MMS002058	11/13/07	Invoice #702275 for \$33,605.21 to West Bay (Piggee)	
274	MMS000133	11/14/07	S. Zuelke email to C. Bikowski re Mounting Evidence	Guerndt 30b6 040 Belcher 102
275	MMS000486	11/14/07	M. Schiller email to B. Belcher re Contact in San Jose	Schiller 004
276	NPI012386 - NPI012387	11/15/07	D. Mayer email to P. Hanson re KNOB Prices	Mayer 007
277	GJ346461 - GJ346462	11/17/07	V. Bruske email to B. Burns re Period 10 Statement Questions	Guerndt 028
278	MMS002000 - MMS002017	11/20/07	Invoice #702298 for \$11,243.92 to Santa Maria (Di Poalo)	
279	NPI000736 - NPI000740	11/21/07	J. Carnevali email to D. Mayer	Mayer 008
280	MMS000509 - MMS000534	11/28/07	K. Giles email to B. Belcher re Vehicle List	Jones 007
281	MMS000539 - MMS000541	11/29/07	Invoice #702318 for \$1,531.98 to West Bay (Jones) (REVISED); Invoice #702323 to West Bay (Piggee)	
282	MMS000545 - MMS000572	11/30/07	B. Belcher email to H. Loyning re Mobile Mounting Solutions	Belcher 109
283	MMS002018 - MMS002034	11/30/07	Invoice #702296 for \$127,285.64 to East Bay (Neal)(REVISED)	
286	MD001882	12/04/07	J. Simes email to D. Mayer re The mounting evidence	Mayer 011 Simes 005
288	MMS001621	12/06/07	B. Belcher email to M. Schiller re Yesterday's visit	Schiller 006
289	MMS001978 - MMS001981	12/06/07	Invoice #702369 for \$571.80 to West Bay (Jones)	
290	NPI004296 - NPI004297	12/11/07	D. Mayer email to J. Carnevali	Mayer 003
291	MMS001982 - MMS001990	12/12/07	Invoice #702323-B for \$4,700.48 to West Bay (Piggee)	
292	NPI001620 - NPI001621	12/13/07	J. Carnevali email to D. Mayer re Mounting Evidence	Mayer 005
293	MMS000659 - MMS000690	12/18/07	B. Belcher email to M. Matheson re Computer mounting Information Materials	Belcher 117

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
294	MMS001568 - MMS001570	12/18/07	B. Belcher email to D. Jones re Comcast Shipment	Jones 008
295	GJ371807.016- GJ371807.021	12/31/07	GJ Statement of Operations, 2007	Wagner 30b6 047
296	GJ108646	12/31/07	GJ Balance Sheet, 12/31/07	Wagner 30b6 050
297	GJ017921	00/00/08	T. O'Brien email to B. Wagner re Truck Mount	Guerndt 30b6 025
300	GJ140870 - GJ140902	01/11/08	J. Guerndt email to Resellers re 2008 pricing information	Guerndt 30b6 021
304	MMS001913 - MMS001917	02/18/08	B. Nelson email tol B. GJ Invoice #156755 for \$1,830.34 (Colorado) (Demo) and GJ invoice #156910 for \$741.19 (Colorado) (Demo)	
307	GJ220646 - GJ220647	02/21/08	J. Guerndt email to J. Greene re Budget Analysis	Guerndt 031
308	MMS000830 - MMS000861	02/23/08	B. Belcher email to D. Ertz re Mobile Mounting Solutions	Belcher 115
311	GJ143307	02/28/08	J. Petersen email to C. Bikowski re Marketing	Guerndt 033
312	GJ107746.001 – GJ107746.032	03/04/08	Leads Spreadsheet	Guerndt 034
313	GJ367354 - GJ367370	03/06/08	B. Belcher email to T. Quezada re Mobile Computer Mounting	Belcher 104
314	GJ106186 - GJ106225	03/07/08	GJ Product Training Presentation	
315	MMS000009	03/31/08	S. Zuelke email to B. Belcher re Comcast	Belcher 114
316	GJ103212	04/01/08	Marketing Team Weekly Meeting Notes, April 1, 2008	Guerndt 035
317		04/04/08	D. Mayer email to J. Kropp et al.	Mayer 012
318	TMA000350	04/09/08	C. Bikowski email to A. Zondlo et al. re Mounting Evidence CD's	Marks 050
319	MMS000892 - MMS000908	04/10/08	Email from B. Belcher to J. Trassare re Mobile Computer Mounts	Belcher 111
322	GJ150840 - GJ150848	04/28/08	D. Bliven to J. Strubinger re FireRescue1 Vehicle Equipment in May	Guerndt 30b6 023
323	TMA000019	04/30/08	ProVideo Invoice No. 20637	
324	MMS000023 - MMS000024	05/02/08	S. Zuelke email to J. Aguilar re Follow up - TLFMT San Diego	Zuelke 163

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
325	MMS000125 - MMS000126	05/02/08	S. Zuelke email to F. Stewart re Gamber-Johnson laptop mounting system quote	Zuelke 164
326	MMS000040 - MMS000042	05/05/08	S. Zuelke email to B. Wehry re Mobile Mount Vendors and comments on installation	Zuelke 165
327		05/19/08	Zuelke Deposition Exhibit No. 119	Zuelke 119
328	TMA000025	05/19/08	Thomas Marks and Associates Invoice No. INV- 2113	
329	GJ370870	05/20/08	B. Belcher email to S. Stainbrook re The Mounting Evidence	Belcher 103 Guerndt 036
332	GJ371606	05/22/08	R. Quimby email to B. Belcher re Comcast Albq	
335	MMS001936 - MMS001952	05/30/08	Invoice #801799 for \$104,942.58 to North Bay (Pendleton)	
338		06/16/08	D. Mayer email to D. Hirsch et al. re Lap top Peds	Mayer 013
339		06/17/08	Printouts from www.ram-mount.com of RAM Ford150 mounting system	Greene 30b6 004
342	GJ220949 - GJ358352	06/30/08	J. Guerndt email to J. Greene re Mounting Evidence Visits	Guerndt 040
343	GJ212902	07/10/08	T. Reiter email to PG Wist re G-J Moutning Evidence	Guerndt 041
344	GJ144029 - GJ144036	07/14/08	J. Donahue article: Computer Mounts - You know they're important, right?	Vercruyssen 001
346	MMS001963 - MMS001976	07/16/08	Invoice #802067 for \$115,383.01 to Sacramento (Trassare)	
347	GJ015009 - GJ015011.001- GJ015011.003	07/24/08	K. Lynch email re July 24th Meeting	Guerndt 30b6 035
348		08/25/08	Order Confirmations and Invoices, between SVP Manufacturing/Mobile Desk and Comcast	Mayer 015
349	MMS001891 - MMS001897	08/28/08	Emails, purchase orders, and invoices re sales to Comcast Fresno	
350	NPI16719	08/31/08	Top Floor Insite Metrics	
351	NPI16630	08/31/08	Top Floor Technologies - Insite Metrics	
353	GJ103235.001 - GJ103235.004	09/09/08	Marketing Team Weekly Meeting Notes, September 9, 2008	Guerndt 042
355		09/11/08	J. Carnevali email to D. Mayer et al. re Savanna Mounts for Comcast	Mayer 014
357	GJ266642 - GJ266643	09/22/08	J. Cain email to T. O'Brien re Acura Moibile	Guerndt 043

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
359	GJ016001 - GJ016005	09/25/08	H. Simonson Email to B. Pagel re Lap top mounts	
360	NPI015679 - NPI015680	09/26/08	J. Vercruyssen email to C. Remmers et al. re XR-1 Certified Vehicle Dock Announcement	Vercruyssen 006 Gardner 005
361	GJ282455 - GJ282497	09/28/07	2007 Customer Satisfaction Survey	Guerndt 30b6 042
362	GJ004463 - GJ004464	09/29/08	D. Bliven to J. Petersen re InSite Metrics	Guerndt 30b6 024
363	GJ103238.001 – GJ103238.003	10/06/08	Marketing Team Weekly Meeting Notes, October 6, 2008	Guerndt 044
365	GJ108847.001 – GJ108847.004	10/25/08	GJ Balance Sheet and Regional Spending detail, 10/25/08	Wagner 30b6 051
367	GJ113659.001 – GJ113659.004	10/31/08	Contact Export Spreadsheet	Guerndt 046
371	GJ371807.030 – GJ371807.036	12/31/08	GJ Statement of Operations, 2008 Actual	Wagner 30b6 048
372	GJ371806	06/30/09	GJ Statement of Operations, 2009 YTD Actual	Wagner 30b6 049
373	NPI014776 – NP1014792	07/07/09	EMSResponder.com posts and articles by D. Long	Long 004
374		07/23/09	Inventory Assembly/Bill of Materials for Item Name/Number 10-FUZION-R	Mayer 004
375		07/23/09	SVP Manufacturing Customer QuickReport: All Transactions	Mayer 017
376		08/24/09	GJ Sales Account List and totals for 2006-2009 YTD	Wagner 30b6 045
377		10/20/09	Mobile Mounting Solutions, Inc.'s sales and marketing reports	Belcher 107
378		10/20/09	Mobile Mounting Solutions, Inc.'s Comcast Sales Report, Aug. 2007- Oct. 2009	Belcher 112
380			Hand Drawing of Gamber-Johnson facility	Guerndt 005
381	NPI16693	00/00/09	Video from D. Eby	
382	NPI16661 - NPI16692	00/00/09	Photographs from D. Eby	
383	NPI16694 - NPI16718	00/00/09	Photographs from D. Eby	
443	GJ000564	05/31/07	Top Floor Technologies Invoice No. 4231	



PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
444	GJ112889	3/21/07	D. Bliven expense report re domain registration	
445	GJ218408 – GJ218426	2/06/08	J. Herring email to J. Greene with attachments	
446	GJ218419 - GJ218426	1/27/08	SW Regional Sales Plan 27Jan.doc	
447		10/26/09	Appendix J to the Expert Report of David J. Eby "Fastener Analysis"	
450	GJ000527	09/08	Gamber-Johnson Sales Detail 2006 to September 2008	
453	NPI16570 – NPI16580	Various	Purchase orders and shipping records re various NPI sales	
456	GJ023494 – GJ023508	1/11/09	Customer ID Spreadsheet	
457	GJ270724	10/24/07	B. Belcher email to N. Molski re Comcast Freight Quote	
459	GJ216836 – GJ216839	9/18/07	K. Goddard email to T. Reiter re Lenove (former IBM) meeting	

## 2. Defendant's Exhibits

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-4			Physical Exhibit - RAM-234-PANIM, Panasonic Toughbook CF-29 & CF-30 Docking System	
A-7	NPI 014794-NPI 014795		Comparative Income Statements NPI	Turner 1
A-8	NPI 014796-NPI 014797		RAM Mount Sales Chart Jan 1 2004 to Aug 31 2009	Turner 2
A-10	NPI 04127		E-mail to Chad Remmers re images and RAM Tough-Box Consoles	Hersey 23
A-11	NPI000354A-NPI000382		CAD Drawings	Wilkinson 1
A-12	NPI 02635		E-mail to Brian Belcher from Patrick Hanson re RAM Mounting Systems	
A-13	NPI 15984-NPI 15989		Photos of RAM Installation Instructions, no-drill seat base, upper tele-pole, 234-3 Universal Laptop Tray	
A-14	NPI 15990-NPI 15993		Photos of Gamber-Johnson Installation Instructions, NotePad4, QADJ-Upper, DS-Clevis and DS-124	

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-15	NPI 15994- NPI 15995		Photos of RAM Installation Instructions, tele-pole, no-drill seat base	
A-16	NPI 15996		Photos of Gamber Johnson Installation Instructions, Ford Police Interceptor Base, QADJ- Upper	
A-17	NPI 16579	12/11/07	Purchase Order to NPI from GPS City USA	
A-18	NPI 01731- NPI 01736	2/10/04	E-mail to Jeff Carnevali from Michael Rickert re Another PO for GJ Mounting Bases	
A-19	NPI01482- NPI01483	10/25/04	E-mail to Jeff Carnevali from S. Reneker re RAM Mount Patent Infringement & Gamber Johnson	
A-20	NPI 02188- NPI 02190	11/16/04	E-mail to Jeff Carnevali from Ty Stober re RAM Mounts @ Tessco	
A-21	NPI 04849- NPI 04851	4/4/05	E-mail to Larry Alexander from Jeff Carnevali re RAM Mount No-Drill Vehicle Mounts	
A-22	NPI 01746	5/3/05	E-mail to B. Treanor from Jeff Carnevali re missing you at ICWE	
A-23	NPI 15683	5/3/05	E-mail to Ty Stober from Jeff Carnevali re Missing you at IWCE	
A-24	NPI 02270- NPI 02275	5/27/05	E-mail to Jeff Carnevali from Stan Trissel re RAM Mounts, Sold Through Dealers Only!	
A-25	NPI 02276- NPI 02283	5/27/05	E-mail to Jeff Carnevali from Stan Trissel re RAM Mounts, Sold Through Dealers Only!	
A-26	NPI 01902- NPI 01911	6/8/05	E-mail to Jeff Carnevali from Larry Alexander re RAM Mount No-Drill Vehicle Mounts	
A-27	NPI 02210- NPI 02211	6/14/05	E-mail to Jeff Carnevali from Stan Trissel re Please return our products	
A-28	NPI 16575	7/12/05	Order Confirmation from NPI to Mats Gustafsson	
A-29	NPI 16576	7/12/05	Order Confirmation from NPI to Mats Gustofsson	
A-31	NPI16577	10/13/05	E-mail to ronb@ram-mount.com re laptop component replacement	
A-32	NPI 02164- NPI 02165	11/11/05	E-mail to Chad Remmers from Bryant Liao re RAM Powered Dock Project	
A-33	NPI 02166- NPI 02175	11/11/05	E-mail to Bryant@supa-tech.com.tw from Chad Remmers re RAM Powered Dock Project	
A-34	NPI 02176- NPI 02180	11/20/05	E-mail to Gioia Xie from Jeff Carnevali re RAM Powered Dock Project	
A-35	NPI01893- NPI01899	12/16/05	E-mail to Jeff Carnevali from Doug Mayer re RAM Mount & Mobile Desk	
A-37	NPI 08555		Spreadsheet re Calendar Year 2006	Remmers 30b6 8
A-43	NPI 01485- NPI 01490	3/22/06	E-mail to Probir Debnath from Jeff Carnevali re Docking Connector with PCB	
A-44	NPI 08375- NPI 08376	5/7/06	E-mail to Steve Kroening from David Wilkinson re Technical info on RAM-B-131 dated 5/7/06	Wilkinson 3
A-45	NPI 04530- NPI 04531	7/14/06	E-mail to Dave Batterytech from Jeff Carnevali re Mobile CX	
A-47	NPI 12636- NPI 12637	10/10/06	E-mail to Chad Remmers from Dana Wilkinson re Performance specs for RAM-B-131 seat rail mount dated 10/10/06	Wilkinson 2

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-48	NPI 01764- NPI 01765	11/9/06	E-mail to Dennis, Itronix from Jeff Carnevali re RAM Tough Dock & Itronix Contact	
A-49	NPI 04533- NPI 04535	12/6/06	E-mail to Jeff Carnevali from Dean Eisenberger re Meeting	
A-51	NPI 01513- NPI 01515	1/4/07	E-mail to Dean Eisenberger from Jeff Carnevali re RAM Metal Tough-Dock Sample	
A-52	NPI 03057- NPI 03059	1/24/07	E-mail to Jeff Carnevali from Neal Clark re NPI (RAM Mounts) & Itronix	
A-53	NPI 01372- NPI 01373	3/1/07	E-mail to Toni Saturno from Jeff Carnevali re Request for Information & Ad Proof	
A-54	NPI 01394	3/3/07	E-mail to Jeff Carnevali et al from Carnevali re www.leggett.com	
A-55	NPI 01370	3/6/07	E-mail to Dennis Zerbst from Chad Remmers re Gamber Johnson announcement	
A-56	NPI 09168- NPI 09170	3/19/07	E-mail to Dennis Zerbst from Jeff Carnevali re RAM Replacement Bases for GD Vibe Testing	
A-57	NPI 01349- NPI 01350	3/25/07	E-mail to Jeff Carnevali from Chad Remmers re WM Mounts	
A-58	NPI 13808- NPI 13809	4/2/07	E-mail to Randy Bloom from Jeff Carnevali re Data Physics Injury; Analyzers, Controllers & Shakers	Wilkinson 5
A-59	NPI 16573	4/17/07	Purchase Order to NPI from GPS City	
A-60	NPI 16574	4/23/07	Purchase Order to NPI from Auto Electric/GPS Zone	
A-61	NPI 07237- NPI 07238	4/26/07	E-mail to William Goldberg et al from Chad Remmers re PAN I returns	Hersey 27
A-62	NPI 16570	5/9/07	Purchase Order to NPI from Innovative Trucks and Equipment, Inc.	
A-63	NPI 01348	5/16/07	E-mail to Jeff Carnevali from Chad Remmers re Legget and Platt Form 10k	
A-64	NPI 01279- NPI 01280	5/17/07	E-mail to Chad Remmers from David Wilkinson re VB Certs	Wilkinson 6
A-65	NPI 01347	5/17/07	E-mail to Dave Wilkinson from Chad Remmers re VB Certs	
A-67	NPI 01345- NPI 01346	5/19/07	E-mail to Jeff Carnevali from Chad Remmers re link for Gamber-Johnson certification	
A-68	NPI 01343	5/22/07	E-mail to Jeff Carnevali from Chad Remmers re Safety certificate from Gamber Johnson	
A-69	NPI 01344	5/22/07	E-mail to brenton@gpscocity.com from Chad Remmers re Safety Cert.	
A-70	NPI 12569- NPI 12570	5/23/07	E-mail to Chad Remmers from David Wilkinson re Certified	Wilkinson 7
A-71	NPI 16572	5/23/07	Email to Brian Anderson from Sam Zattair with RAM products to ship	
A-72	NPI 09341- NPI 09345	5/30/07	E-mail to Willis – King-Design from Jeff Carnevali re Vibe & Shock Testing Equipment	Wilkinson 4
A-73	NPI 01419	5/30/07	E-mail to Chad Remmers from Dave Wilkinson re New Gamber Product	

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-75	NPI 16571	5/30/07	Packing List from NPI for order to Innovative Trucks and Equipment, Inc.	
A-76	NPI 13437- NPI 13438	6/20/07	E-mail to Curtis Oliver from David Wilkinson re Safety Concerns	Wilkinson 8
A-77	NPI 000014	6/21/07	E-mail to Jeff Carnevali et al from Brian Anderson re Gamber Johnson report on airbag safety	Wilkinson 9
A-78	NPI 04318	6/21/07	E-mail to Ram-Mount from Chad Remmers re Gamber Johnson catalog website	
A-79	NPI 03555	6/21/07	E-mail to Gamber Johnsons report on airbag safety	
A-80	NPI 01331	6/21/07	E-mail to Jeff Carnevali from Brian Anderson re Gamber Johnsons report on airbag safety	Hersey 28
A-81	NPI 000018- NPI 000019	6/25/07	E-mail to Chad Remmers from Jeff Carnevali re Did You Watch This?	
A-82	NPI 01315- NPI 01316	6/28/07	E-mail to Jeff Carnevali from William Goldberg re Gamber Johnson sales collateral	
A-83	NPI 02636- NPI 02641	6/29/07	E-mail to Patrick H. from Mark Yager re RAM Mounting Systems	Remmers 30b6 3
A-84	NPI 15640	7/25/07	General Dynamics/Itronix vibration test report for RAM passive dock – XR-1	
A-85	NPI 13510- NPI 13511	7/31/07	E-mail to Aaron Hersey from David Wilkinson re Case study with Comcast as focus	Hersey 29
A-86	NPI 01415- NPI 01416	8/6/07	E-mail to Patrick H from David Wilkinson re Gamber model	
A-87	NPI 02738	8/13/07	E-mail to Patrick H from Chad Remmers re Tom from Tessco	
A-88	NPI 15818- NPI 15829	8/30/07	General Dynamics/Itronix test report for RAM V dock	
A-89	NPI 09218- NPI 09221	9/13/07	E-mail to Josh Jankowsky from Aaron Hersey re RAM MOUNT contact	Wilkinson 10
A-90	NPI 03089- NPI 03090	9/13/07	E-mail to Roberto Rodriguez from Patrick Hanson re Mobile Office	
A-91	NPI 12547	9/19/07	E-mail to Andy Ronken from Aaron Hersey re Airbag Deployment Zone	Hersey 30
A-92	NPI 09214- NPI 09217	9/19/07	E-mail to Josh Jankowsky from Aaron Hersey re RAM MOUNT contact	Wilkinson 11
A-93	NPI 01329- NPI 01330	9/21/07	E-mail to Aaron Hersey from Josh Jankowsky re RAM Mount Contact	Remmers 30b6 4
A-94	NPI 01121- NPI 01126	9/21/07	E-mail to Chad Remmers from Aaron Hersey re RAM Mount contact	Remmers 30b6 5 Hersey 2
A-95	NPI 01015- NPI 01020	9/25/07	E-mail to Josh Jankowsky from Aaron Hersey re RAM Mount Contact	Hersey 3 Remmers 6
A-96	NPI 01000- NPI 01008	10/12/07	E-mail to Aaron Hersey from Josh Jankowsky re RAM Mount contact	Hersey 5
A-97	NPI 00898	10/30/07	E-mail to Jeff Carnevali from Chad Remmers re Gamber Johnson trying to Keep Resellers	
A-98	NPI 04204- NPI 04206	11/8/07	E-mail to Chad Remmers from Jeff Carnevali	

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-99	NPI 03098- NPI 03102	11/13/07	E-mail to webcultivator@123farmworks.com from Patrick Hanson re Safe-n-Secure product image and info	
A-100	NPI 04292- NPI 04294	11/21/07	E-mail to Cliff Lucas et al from Jeff Carnevali	
A-101	NPI 16578	11/21/07	E-mail to Brian Anderson from weborders@ram-mount.com re Web Order ID :5.2383165000528E+14	
A-102	NPI 03096- NPI 03097	11/27/07	E-mail to Al DiDonato from Patrick Hanson re GW Anglin Van & Truck Equipment	
A-103	NPI14359	12/5/07	E-mail to Ron Brodeur from Patrick Hanson re RAM Mounting Systems	Hersey 6
A-104	NPI 00971- NPI 00976	12/8/07	E-mail to D. Wilkinson from Jeff Carnevali re Advertising Change at RAM mount/NPI	
A-105	NPI 03005- NPI 03006	12/11/07	E-mail to Josh Jankowsky from Aaron Hersey re Follow-up dated 12/11/07	Hersey 4
A-108	NPI 02938- NPI 02939	12/13/07	E-mail to Aaron White from P. Hanson re OasisMicro	
A-109	NPI 00994- NPI 00996	12/17/07	E-mail to Cindy Chang, Coban Tech from Aaron Hersey re: RAM Mounting Solution for Coban Products	Hersey 7
A-110	NPI 16580	12/18/07	Purchase Order to NPI from GoMobileNow.com	
A-111	NPI 08555		Chart – Calendar Year 2008	Turner 3
A-112	NPI 04189- NPI 04190	1/14/08	E-mail to Chad Remmers from Jeff Carnevali re Cease and Desist to Gamber-Johnson	
A-113	NPI 15847- NPI 15856	1/18/08	General Dynamics/Itronix test report for RAM V Dock with pads	
A-114	NPI 01338	1/23/08	Email to Jeff Carnevali from Chad Remmers re Mounting Evidence Press Release	
A-115	NPI 02992- NPI 02993	1/30/08	E-mail to Cynthia Brown from Aaron Hersey re RAM PR	Hersey 8
A-116	NPI 03015	1/31/08	E-mail to Jim Soulek from Aaron Hersey re Trucking RAM	Hersey 9
A-118	NPI 12743- NPI 12744	2/28/08	E-mail to Ray Kruse from David Wilkinson re Air Bag Safety	Hersey 10
A-119	NPI 03095	3/5/08	E-mail to Al DiDonato from Patrick Hanson re GW Anglin Van & Truck Equipment	
A-120	NPI 01403	3/13/08	E-mail to Erik Seymour et al from David Wilkinson re TDS Nomad mount safety question	Wilkinson 12
A-121	NPI 02664	3/13/08	E-mail to Erik Seymour et al from David Wilkinson re TDS Nomad mount safety question	
A-122	NPI 01192- NPI 01194	3/19/08	E-mail to Chad Remmers to Jeff Carnevali re NPI v. Gamber-Johnson	
A-123	NPI 00891- NPI 00892	3/31/08	E-mail to clong@pennwell.com from Jeff Carnevali re Reminder: Baxter Research Study Offered by Utility Products	
A-124	NPI 01468	4/2/08	E-mail to Aaron Hersey from Erik Seymour re Grade 5 Bolts	Hersey 11

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-125	NPI 00879	4/2/08	E-mail to Aaron Hersey from Jeff Carnevali re <a href="http://www.configureone.com">http://www.configureone.com</a>	Hersey 12
A-126	NPI 00890	4/2/08	E-mail to Aaron Hersey from Erik Seymour re Grade 5 Bolts	Wilkinson 13
A-127	NPI 03218- NPI 03221	4/4/08	E-mail to Dan Poisson and Chad Remmers from Jeff Carnevali re Everest Mounting Bolts-MIA	Hersey 13
A-128	NPI 03211- NPI 03217	4/5/08	E-mail to Chad Remmers from Jeff Carnevali re Everest Mounting Bolts-Mia	Hersey 14
A-129	NPI 03204- NPI 03210	4/5/08	E-mail to Glacier Computer from Jeff Carnevali re Everest Mounting Bolts-Mia	Hersey 15
A-130	NPI 03263- NPI 03269	4/7/08	E-mail to Glacier Computer from Chad Remmers re Everest Mounting Bolts-Mia	Hersey 16
A-131	NPI 03197- NPI 03203	4/7/08	E-mail to Jeff Carnevali from Dan Poisson re Everest Mounting Bolts-MIA	Wilkinson 14
A-132	NPI 03256- NPI 03262	4/7/08	E-mail to Dan Poisson from Chad Remmers re Everest Mounting Bolts-MIA	Wilkinson 15
A-133	NPI 01038	4/10/08	E-mail to Aaron Hersey and Carnevali from Chad Remmers re <a href="http://www.gamberjohnson.com/magDock.php">www.gamberjohnson.com/magDock.php</a>	Hersey 17
A-134	NPI 01028- NPI 01029	4/15/08	E-mail to Aaron Hersey from Jeff Carnevali re RAM-VB-146-SW1 Quote	
A-135	NPI 00868- NPI 00870	4/16/08	E-mail to Aaron Hersey from Erick Seymour re RAM-VB-146-SW1 Quote	Hersey 18
A-136	NPI 00865- NPI 00867	4/16/08	E-mail to Aaron Hersey from Erik Seymour re RAM-VB-146-SW1 Quote	
A-137	NPI 01188	4/16/08	E-mail to Chad Remmers from Jeff Carnevali re New Gamber Johnson Dock	
A-138		4/17/08	Declaration of Jeffrey D. Carnevali in Support of NPI's Motion for Expedited Discovery	
A-139	NPI 00804- NPI 00806	4/22/08	E-mail to Jeff Carnevali from Magnus Eliasson re RAM News 08 1 <sup>st</sup> Qtr	
A-140	NPI 00860	4/24/08	E-mail to Jeff Carnevali and Aaron Hersey from Chad Remmers re Gamber Powered Dock dated 4/24/08	Hersey 19
A-141	NPI 00859	4/24/08	E-mail to Erik Seymour from Jeff Carnevali re Go Get Them	
A-142	NPI 00857- NPI 00858	4/25/08	E-mail to Aaron Hersey and Erik Seymour re Go Get Them	Remmers 30b6 2 Wilkinson 16
A-143	NPI 01238- NPI 01244	1/2/08	E-mail to Chad Remmers from Jeff Carnevali re FW: Draft Letter to Gamber-Johnson	
A-144	NPI 01185	4/27/08	E-mail to Chad Remmers from Jeff Carnevali re Gamber Mag Dock	
A-145	NPI 01183	4/27/08	E-mail to Chad Remmers from Jeff Carnevali re Gamber Mag Dock	
A-146	NPI 01184	4/27/08	E-mail to Chad Remmers from Jeff Carnevali re Gamber Mag Dock	
A-147	NPI 01182	4/27/08	E-mail to Chad Remmers from Jeff Carnevali re Gamber Mag Dock	

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-148	NPI 00855	4/29/08	E-mail to Jeff Carnevali and Aaron Hersey from Chad Remmers re CDW Gamber Mag Dock	
A-149	NPI 04067- NPI 04069	5/15/08	E-mail to Dave Wilkinson from Jeff Carnevali re Send in you PR for the July, Annual New Products Guide!	
A-150	NPI 03012- NPI 03013	6/4/08	E-mail to Wayne Shieh from Aaron Hersey re How secure is your Tough Dock and Universal Tough Tray	Hersey 20
A-151		6/4/08	NPI's Responses to Gamber-Johnson's First Set of Interrogatories and Requests for Production of Documents and Things	
A-152		6/5/08	NPI's Rule 26(a)(1) Initial Disclosures	
A-153	NPI 00843- NPI 00844	6/12/08	E-mail to Aaron Hersey from Erik Seymour re magazine Gamber in but NPI is not	Hersey 21
A-154	NPI 02032- NPI 02033	6/13/08	E-mail to Joel Becker from Jeff Carnevali re Reason I won't be buying your mounts	
A-155	NPI 01171- NPI 01172	6/26/08	E-mail to Chad Remmers from Jeff Carnevali re Gamber Johnson Estimated Sales	
A-156	NPI 02000	7/7/08	E-mail to Dave Wilkinson from Jeff Carnevali re are we covered for these models	Wilkinson 17
A-157	NPI 01393	7/7/08	E-mail to Dave Wilkinson from Jeff Carnevali re are we covered for these models	
A-158	NPI 01167- NPI 00168	7/16/08	E-mail to Chad Remmers from jeamvic re CDW Order Confirmation	
A-159	NPI 00825- NPI 00827	7/18/08	E-mail to Jeff Carnevali, Aaron Hersey and Wilkinson from Chad Remmers re Utility Products Baxter ad study	Hersey 22
A-160	NPI 01148- NPI 01150	7/18/08	E-mail to Chad Remmers from Dave Wilkinson re Utility Products Baxter ad study	Wilkinson 18
A-161	NPI 01317- NPI 01319	7/18/08	E-mail to Jeff Carnevali et al from Chad Remmers re Utility Products Baxter ad study	
A-162	NPI 04127	8/8/08	E-mail to Chad Remmers from Aaron Hersey re RAM Tough-Box Consoles	
A-163	NPI 00815	8/11/08	E-mail to Aaron Hersey from Tony Ledenko re Tough Box features	Hersey 24
A-164	NPI 00810- NPI 00814	8/11/08	E-mail to Aaron Hersey from Erik Patla re Officer.com Proposal	Hersey 25
A-165	NPI 03140- NPI 03141	8/11/08	E-mail to Carmine from Aaron Hersey re Installation of RAM Mount	Hersey 26
A-166	NPI 01051	8/12/08	E-mail to Aaron Hersey and Jeff Carnevali from Chad Remmers re Sierennet.com	
A-167	NPI 04853- NPI 04857	8/15/08	E-mail to Erik Seymour et al from Jeff Carnevali re Update RAM Tough-Box Leg Kits	
A-168	NPI 04144- NPI 04148	8/15/08	E-mail to Erik Seymour from Jeff Carnevali re Update RAM Tough-Box Leg Kits	
A-169	NIP 15681- NPI 15682	9/22/08	E-mail to Chad Remmers and Jeff Carnevali from Jim Vercruyssen re Visit & Photos	
A-170	NPI 15672- NPI 15676	9/22/08	E-mail to Jim Vercruyssen from Jeff Carnevali re Visit & Photos	

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-172		1/22/09	NPI's Responses to Gamber-Johnson's Second Set of Interrogatories and Requests for Production of Documents and Things	
A-176		9/23/09	NPI's Responses to Gamber-Johnson's Third Set of Requests for Production of Documents	
A-177		11/6/09	Plaintiff NPI's Supplemental Initial Disclosures Pursuant to Fed. R. Civ. Rule 26(a)(1)	
A-180		11/16/09	NPI's Responses to Gamber-Johnson's Fourth, Fifth, and Sixth Sets of Requests for Production of Documents and Things	
A-182		12/31/09	NPI's Supplemental Responses to Gamber-Johnson's Interrogatory No. 1	
A-183		1/11/10	Plaintiff NPI's Second Supplemental Initial Disclosures Pursuant to Fed. R. Civ. Rule 26(a)(1)	
A-184		1/11/10	NPI's Second Supplemental Responses to Gamber-Johnson's Interrogatory No. 1	
A-185		1/26/10	Proposed Supplemental Declaration of Mark P. Walters in Opposition to Defendant's Motion for Summary Judgment	
A-201		8/7/09	Handwritten Drawing	Remmers 30b6 7
A-202	NPI15619- NPI15626	7/31/07	General Dynamics/Itronix Testing Results RAM Dock MIL-STD Vibration <sup>3</sup>	
A-203	NPI15370- NPI15379		Charts showing Costs of Goods Sold and Operating Expenses 2004-2008	
A-204	NPI15380- NPI15427		Charts showing NPI Sales by Customer with Customer Type 2007, 2008 and 2009	
A-205		1/1/00	MIL-STD-810F Department of Defense Test Method Standard for Environmental Engineering Considerations and Laboratory Tests	
A-206	GJ371806	8/5/09	GJ Statement of Operations, 2009 Actual	
A-207	GJ371807	8/5/09	GJ Statement of Operations 2006, 2007 2008	
A-208	GJ371808	9/14/09	GJ Sales by Product, by customer, by month 2006-2009	
A-209	GJ371809	9/14/09	GJ Balance Sheet 2009	
A-210	GJ371810	9/14/09	GJ Balance Sheet 2008	
A-211	GJ375430	10/26/09	GJ Selling and Advertising Expenses, 2004-2009	
A-212	GJ375431	11/13/09	GJ Consolidated Statement of Operation, 2004-2005	
A-288	NPI16631	10/5/2009	Steve Wiley e-mail to David Eby re Wednesday?	
A-289	NPI16632- NPI16633	9/22/2009	Steve Wiley e-mail to David Eby re back seat photo with Back Seat.jpg attached	
A-290	NPI16635	10/21/2009	Steve Wiley e-mail to David Eby re files are available...	
A-291	NPI16638- NPI16639	9/22/2009	Steve Wiley e-mail to David Eby re photo #2 with Back Seat 02.jpg attached.	

<sup>3</sup> Only listed if Gamber's Motion in Limine to exclude all references to General Dynamics/Itronix is not granted.



Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-292	NPI16640- NPI16641	9/22/2009	Steve Wiley e-mail to David Eby re photo new with Back Seat 02.jpg attached.	
A-293	NPI16642	9/22/2009	Steve Wiley e-mail to David Eby et al., re file info.	
A-294	NPI16644	11/03/2009	Steve Wiley e-mail to David Eby re GW invoice – PO needed.	
A-295	NPI16645	10/10/2009	Steve Wiley e-mail to David re Movies are available	
A-296	NPI16646- NPI16648	9/17/2009	Steve Wiley e-mail to David Eby re Quote – Passenger Airbag Deployment Filming – September 22, 2009 with quote attached.	
A-297	NPI16650	9/17/2009	David Eby e-mail to Steve Wiley re Quote – Passenger Airbag Deployment Filming – September 22, 2009	
A-298	NPI16658	9/22/2009	David Eby Meeting Notice, Airbag Depolyment	
A-299		11/16/2009	Appendix I to the Expert Report of R. Dean Harris - MIL-STD-810F, Parts 2, Method 513.5, Acceleration	
A-300		11/16/2009	Appendix II to the Expert Report of R. Dean Harris - Drawings of Gamber-Johnson and NPI Pedestal Tubes	
A-301		11/16/2009	Appendix III to the Expert Report of R. Dean Harris - FEA Computer Printouts	
A-302		11/16/2009	Appendix IV to the Expert Report of R. Dean Harris - DVD of ED&T Bending Load Tests	
A-303		11/16/2009	Appendix V to the Expert Report of R. Dean Harris - Figures 1-33	
A-304		11/16/2009	Appendix VI to the Expert Report of R. Dean Harris - Curriculum Vitae and Testifying Experience	
A-305		11/16/2009	Appendix I to the Expert Report of R. Dean Harris	

### C. Authenticity and Admissibility Disputed.

#### 1. Plaintiff's Exhibits

Pl.'s Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
4	NPI000024 - NPI000038	01/15/08	Transcription of The Mounting Evidence.com website	Long 031 Belcher 108 Zuelke 166 Eby 003 Kivetz 401 Greene 033
24			Physical Exhibit - RAM Tough Tray Universal Laptop Holder	Greene 30b6 005

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
25			Physical Exhibit - Metal Panasonic CF 30 Dock	Greene 30b6 006
26			Physical Exhibit - Plastic Panasonic CF30 Dock	Greene 30b6 007
27			Physical Exhibit - RAM Swing Arm System and telescoping tension knob	Greene 30b6 015
28			Physical Exhibit - RAM Vehicle Base	Greene 30b6 016
29			Physical Exhibit - Gamber Johnson Universal Notepad holder	Greene 30b6 037
30			Physical Exhibit - Gamber-Johnson F150 Vehicle Base	Greene 30b6 038
31			Physical Exhibit - Gamber-Johnson DS Step	Greene 30b6 039
32			Physical Exhibit - RAM Base Riser with Telepole Base	Greene 30b6 040
33			Physical Exhibit - RAM Universal Tough Tray with Lock	Greene 30b6 041
37	NPI16584		Physical Exhibit - NotePad IV	
38	NPI16585		Physical Exhibit - RAM Tough Dock	
39	NPI16586		Physical Exhibit - RAM mount parts	
40	NPI16587		Physical Exhibits - RAM Crown Vic Metallurgy	
41	NPI16588		Physical Exhibits - GJ Crown Vic Metallurgy	
42	NPI16589		Physical Exhibits - GJ F150 Mount, Metallurgy	
43	NPI16590		Physical Exhibits - RAM F150 Mount, Metallurgy	
45	NPI15689 - NPI15698		Testing videos	
47	NPI15707 - NPI15716		Testing videos	
48	NPI15721 - NPI15731		Testing videos	
49	NPI15738 - NPI15740		Testing videos	
50	NPI15745 - NPI15751		Testing videos	
51	NPI15755 - NPI15761		Testing videos	
52	NPI15769 - NPI15772		Testing videos	
53	NPI15777 - NPI15786		Testing videos	

Pl.'s Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
54	NPI15802 - NPI15817		Testing videos	
55	NPI15830 - NPI15833		Testing videos	
56	NPI15841 - NPI15846		Testing videos	
57	NPI15743		Testing video	
58	NPI15767		Testing video	
59	NPI15775		Testing video	
60	NPI15983		Testing video	
61	NPI15997		Testing video	
62	NPI16727		Drawing - Advanced Composite Use	
63	NPI16599 - NPI16599	11/8/1999	S. Zuelke email to J. Carnevali re Thank you	
64	NPI16600 - NPI16600	11/29/1999	J. Carnevali email to S. Zuelke re RAM Mounts to Digital Recorders, Inc.	
65	NPI16598 - NPI16598	3/3/2000	S. Zuelke email to J. Carnevali re RAM 2000 Updated Price List	
66	NPI16601 - NPI16602	03/25/00	J. Carnevali email to S. Zuelke re RAM 2000 Updated Price List	
67	NPI16603 - NPI16603	3/29/2000	J. Greene email to J. Carnevali re Agreement	
68	NPI16604 - NPI16605	4/5/2000	J. Carnevali email to J. Greene re RAM/Gamber- Johnson at IWCE	
69	NPI16606 - NPI16606	6/27/2000	J. Carnevali email to J. Leher re RAM Mounts For Gamber Johnson Catalog	
71	GJ285233 - GJ285236	05/03/02	J. Greene email to B. Trembl et al. re OEM Cost \$18.07 for RAM Universal Laptop Tray, Retail \$52.56, Order Your Sample Now!	Greene 003
75	GJ212340	3/6/2003	J. Greene email to B. Trembl et al. re New, RAM Mounting Systems Docking Cradles for Electronics	Greene 004
76	NPI16607 - NPI16607	3/24/2003	J. Greene email to J. Carnevali re Prospects?	
77	NPI16608 - NPI16609	3/24/2003	J. Carnevali email to J. Greene re Prospects?	
78	NPI16610 - NPI16612	3/29/2003	J. Greene email to J. Carnevali re Prospects?	

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
79	NPI16613 - NPI16613	5/1/2003	J. Carnevali email to J. Greene re Safe Trip Home	
91	NPI16626 - NPI16628	10/28/2004	J. Carnevali email to J. Greene re Review Letter of Phone Conversation Between Jeff Carnevali & Jeff Greene	
92	NPI16629 - NPI16629	11/3/2004	K. Jopling email to J. Carnevali re look at what I saw on the web	
93	MMS001375 - MMS001376	1/20/2005	J. Carnevali email re NPI Files Law Suit Against Gamber Johnson for Patent Infringement	Zuelke 124
94	GJ131749	11/10/05	K. Sampson email to B. Trembl et al. re MTS PLUS A-Kits	Zuelke 125 Greene 006
104	NPI15594 - NPI15597	06/23/06	Officer.com Article: The Police Care Erector Set	
105	GJ300014 - GJ300018	07/17/06	Lead Team Meeting Memo: 07/17/06	Greene 010
106	GJ142307 - GJ142308	9/13/2006	S. Zuelke email to B. Trembl et al. re VersaTrue product announcement	Zuelke 129; Greene 011
107	MMS001424 - MMS001426	10/04/06	J. Carnevali email re Urgent Press Release - Gamber Johnson Admits that VersaTrue Products Infringe NPI (RAM Mount) Patent	Zuelke 130 Greene 012
120	GJ343389 - GJ343395	12/31/06	Gamber Johnson Performance Evaluation - A	Zuelke 131 Greene 017
129	GJ104899	00/00/07	R. Garski letter to Motorola	Guerndt 30b6 015
151	GJ221282 - GJ221283	03/14/07	E. Lyons email to J. Greene re Fax Message No. 3398	Greene 020
155	TMA000015	03/21/07	Thomas Marks and Associates Invoice No. GJ- 41320 and payment stub	
159	GJ000418 - GJ000419	3/27/2007	R. Norkunas email to J. Guerndt re GPS City Order #17063246266	
164	GJ000364 - GJ000377	3/30/2007	S. Zuelke email to J. Greene re Revised script 070330.doc	Greene 30b6 022; Zuelke 149
172	TMA000161 - TMA000176	4/4/2007	S. Zuelke email to T. Marks re Latest script	Marks 046; Long 029; Zuelke 150; Greene 022; Guerndt 009
174	TMA000201 - TMA000217	04/06/07	T. Parsons email to tom@provideo.com et al. re final script	Greene 30b6 024
180	GJ316788 - GJ316794	04/20/07	C. Bikowski email to A. Maynard re Connect 4 Tomorrow Training	Guerndt 30b6 027 Guerndt 011

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
186	GJ195863 - GJ195864	5/3/2007	S. Zuelke email to T. Reiter et al. re C4T meeting follow-up	Guerndt 30b6 028; Zuelke 152
187	GJ019572 - GJ019610	05/06/07	B. Frumoff letter T. Reiter re Palm Beach County Sherriff's Office Questionnaire Form	Greene 026 Guerndt 013
188	TMA000311 - TMA000312	05/07/07	A. Zondlo email to prepress@rotographics.com re Gamber CD case final file - SLEEVE	Greene 30b6 030
190	GJ315837 - GJ315838	05/09/07	J. Herring email to P. Dailly re Gamber Johnson Mobile Mounting System Questionnaire	Greene 031
191	GJ215160 - GJ215161	05/15/07	J. Herring email to B. Frumoff re Gamber Johnson Mobile Mounting System Questionnaire	Greene 030
192	TMA000332 - TMA000336	05/15/07	A. Zondlo email to B. Stephan re C4T Agenda and Attendee list	Greene 30b6 031
193	GJ216681 - GJ216682	05/21/07	J. Herring email to R. Bohman re FYI - Updates	Guerndt 30b6 003
194	GJ225895 - GJ225896	5/22/2007	T. Moore email to J. Greene re 2007 A-kit Prices	Greene 032
195	GJ103170	05/22/07	Marketing Team Weekly Meeting Notes, May 22, 2007	Guerndt 30b6 006
197	GJ245434 - GJ245435	5/23/2007	J. Herring email to T. Reiter et al. re PBCSO Meeting & Action	Greene 029
198	GJ000714 - GJ001010	05/29/07	Internal Copy of Gamber Johnson Mobile Mounting System Questionnaire (submitted to Palm Beach County Sheriff's Office)	Greene 028 Guerndt 014
202	CDW000015 - CDW000029	05/29/07	T. Grimes email and attachment to H. Thomas III and J. Mangano re Powerful new sales tool from Gamber-Johnson	
207	GJ217793 - GJ217794	06/01/07	T. Reiter email to J. Guerndt re The Mounting Evidence	Guerndt 015
216	GJ146974	06/21/07	J. Guerndt email to D. Bliven et al. re The Mounting Evidence - SUCCESS	Guerndt 30b6 044 Zuelke 159
220	MMS000060 - MMS000062	7/2/2007	S. Zuelke email to J. Greene re Mounting Evidence	Zuelke 160
221	GDI000035 - GDI000038	07/05/07	General Dynamics Itronix estimate for EPCO, Inc.	Gardner 001
222	GJ264098 - GJ264103	7/6/2007	K. Sampson email to R. Gardner re VA Beach RFP	Guerndt 30b6 039; Gardner 002
227	NPI16725 - NPI16726	07/19/07	University of Wisconsin - Platteville Manufacturing Technology Management	
235	GJ147009	8/9/2007	C. Bikowski email to J. Guerndt et al. re Ledco videos	Guerndt 020

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
236	GJ311013 – GJ311015	08/09/07	J. Herring email to J. Greene and J. Guerndt re Work Station for Modern Group	Guerndt 021
241	NPI015631 – NPI15639; NPI15614 – NPI15617; NPI15598 – NPI15603; NPI15627 - NPI015629	07/18/07	General Dynamics Itronix RAM test results	Vercruyssen 004
242	MMS000025 - MMS000026	8/28/2007	S. Zuelke email to J. Guerndt re Hi	Zuelke 161
262	GJ320717 - GJ320720	10/22/07	R. Wanders email to J. Trzebiatowski re Work Station for Modern Group	Guerndt 027
284	MD000221 - MD000222	12/03/07	D. Mayer email to M. Schiller re Screen Blanker sensor is RoHS complaint	Mayer 018
285	MD001933 – MD001934	12/03/07	M. Schiller email to D. Mayer re Screen Blanker sensor is RoHS complaint	Schiller 005
287	MD001937 - MD001940	12/05/07	M. Schiller email to D. Mayer re Screen Blanker sensor is RoHS complaint	Schiller 007
299	GJ143074	01/07/08	A. Zondlo email to C. Bikowski re Next Generation Power & Energy Ask the Experts	Guerndt 029
301	NPI000039	01/11/08	Thomas Marks & Associates Case Study - printout from www.thomasmarks.net	Greene 30b6 036 Marks 051 Greene 034 Degen 03
302	GJ143272 - GJ143274	2/12/2008	J. Guerndt email to A. Zondlo et al. re Mounting Evidence II Outline	Guerndt 030
303	GDI000098 - GDI000136	2/18/2008	General Dynamics Itronix Services Proposal for EPCO, Inc. (Annotated)	Gardner 004
305	GJ147796 - GJ147804	2/19/2008	D. Hustedt to D. Bliven re Website Feedback Questions - 2008	Guerndt 30b6 022
306	GJ159850 - GJ159870	2/19/2008	J. Herring email to S. Clagget re Presentation for 2-19-08	Guerndt 30b6 041
309	GJ369998 - GJ369999	2/27/2008	J. Petersen email to T. DiBenedetto re planning	Guerndt 032
310	GJ363736 - GJ363738	2/27/2008	K. Sampson email to J. Chambers re Ship to address for ESI-Solutions Day	Guerndt 30b6 034
320	MMS000972	4/23/2008	M. Schiller email to B. Belcher re Strategy	Schiller 008; Belcher 110
321	MMS000973 - MMS000974	4/23/2008	M. Schiller email to B. Belcher et al. re Demo Installations and safety concerns	Schiller 009; Belcher 113

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
330	GJ096749.01 – GJ096749.23; GJ115901 - GJ115913	05/20/08	2008 Connect 4 Tomorrow Evaluation Results	Guerndt 038
331	GJ284421 - GJ284448	5/21/2008	2008 C4Tomorrow Reseller Sales Tools Presentation	
333	GJ000362 - GJ000363	5/27/2008	J. Herring email to J. Greene re The Mounting Evidence	Greene 30b6 035
334	GDI000155 - GDI000155	5/30/2008	M. McRae email to B. Morrow et al. re Ram Mount lawsuit against Gamber	Gardner 007
336	MMS001959 - MMS001962	6/11/2008	Invoice #801848 for \$320.54 to North Bay (Pendleton)	
337	MMS001953 - MMS001958	6/11/2008	Invoice #801847 for \$7,243.09 to North Bay (Pendleton)	
340		06/17/08	Printouts from www.groupmobile.com of Gamber- Johnson Ford F-150 Vehicle Mounting Systems	Greene 30b6 042
345	NPI000061 - NPI000062	7/14/2008	RAM Catalog - General Dynamics GoBook XR-1 Mounts Description	Vercruyssen 003
352	GJ259750 – GJ259751	09/05/08	J. Herring email to K. Sampson re DT Cradle/ESR	Vercruyssen 08
354	GJ015792 - GJ015793	9/10/2008	T. O'Brien email to N. Molski re Gamber-Johnson vehicle mounts	Guerndt 30b6 036
356	GJ164199 - GJ164201	9/12/2008	T. Reiter email to T. DiBenedetto re The Mounting Evidence	Guerndt 30b6 037
358	NPI015677 - NPI015678	9/22/2008	J. Vercruyssen email to C. Remmers et al. re Visit & Photos	Vercruyssen 005
364	GJ017184	10/15/08	K. Sampson email to J. Guerndt re mtg evidence viewing at Solarus	Guerndt 30b6 038 Guerndt 045
366	NPI015653 – NPI015671; NPI015604 – NPI015613	10/14/08	General Dynamics Itronix RAM test results	Vercruyssen 007
368	GJ003230 - GJ003231	11/13/08	T. O'Brien email to C. Bikowski re RAM video	Guerndt 047
369	GJ003262 - GJ003282	11/21/2008	D. Hustedt email to J. Herring et al. re Customer Satisfaction Survey Comments	Guerndt 30b6 043
370	GJ151344 - GJ151364; GJ151375 – GJ151405	11/21/08	D. Hustedt email to J. Herring et al. re Customer Satisfaction Survey and Value Survey PPTs	
379	CDW000030 - CDW000031	11/23/09	H. Thomas III email to L. Hiszczynski re Quick Question	

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
384	Produced at 12/15/09 Deposition of J. Greene	09/16/09 02/27/09 02/24/09 12/04/09 12/09/08 09/19/08	S. Zuelke email to J. Greene re Thinking of you S. Zuelke email to L. and J. Greene General Dynamics Itronix shutting down facility S. Zuelke email to L. and J. Greene re General Dynamics Itronix shutting down facility Google Alerts email to jlbjster@gmail.com re Gamber Johnson B. Wagner email to L. and J. Greene re Legal Fees S. Zuelke email to L. and J. Greene re The Greene's have landed!	Greene 002
385			Demonstrative Exhibit No. 1	
386			Demonstrative Exhibit No. 2	
387			Demonstrative Exhibit No. 3	
388			Demonstrative Exhibit No. 4	
389			Demonstrative Exhibit No. 5	
390			Demonstrative Exhibit No. 6	
391			Demonstrative Exhibit No. 7	
392			Demonstrative Exhibit No. 8	
393			Demonstrative Exhibit No. 9	
394			Demonstrative Exhibit No. 10	
395		10/26/09	Appendix A to the Expert Report of David J. Eby "Professional Profile"	
396		10/26/09	Appendix B to the Expert Report of David J. Eby "Items Relied Upon"	
397		10/26/09	Appendix C to the Expert Report of David J. Eby "List of Prior Expert Testimony"	
398		10/26/09	Appendix D to the Expert Report of David J. Eby "Airbag Deployment Testing"	
399		10/26/09	Appendix D to the Expert Report of David J. Eby "Airbag Deployment Testing" DVD	
400		10/26/09	Appendix E to the Expert Report of David J. Eby "Accelerations During Challenging Driving Conditions"	
401		10/26/09	Appendix F to the Expert Report of David J. Eby "Vibration and Shake Testing"	
402		10/26/09	Appendix F to the Expert Report of David J. Eby "Vibration and Shake Testing" DVD	



PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
403		10/26/09	Appendix G to the Expert Report of David J. Eby "Metallurgy"	
404		10/26/09	Appendix H to the Expert Report of David J. Eby "Crashworthiness Analysis"	
405		10/26/09	Appendix I to the Expert Report of David J. Eby "Mechanical Testing"	
406		11/30/09	Appendix A to the Rebuttal Expert Report of David J. Eby "Professional Profile"	
407		11/30/09	Appendix B to the Rebuttal Expert Report of David J. Eby "Items Relied Upon"	
408		11/30/09	Appendix C to the Rebuttal Expert Report of David J. Eby "List of Prior Expert Testimony"	
409		11/30/09	Appendix D to the Rebuttal Expert Report of David J. Eby "Side Restraint Strength Testing and Analysis"	
410		11/30/09	Appendix E to the Rebuttal Expert Report of David J. Eby "Modal Analysis" and "Fast Fourier Transformation Analysis"	
412		11/30/09	Appendix F to the Rebuttal Expert Report of David J. Eby "Elastic-Plastic Beam Bending Analysis"	
413		10/26/09	Exhibit A to the Expert Report of Scott D. Hampton "Curriculum Vitae, Recent Testimony, and Publications"	
414		10/26/09	Exhibit B to the Expert Report of Scott D. Hampton "Hourly Billing Rates"	
415		10/26/09	Exhibit C to the Expert Report of Scott D. Hampton "Documents Relied Upon"	
416	Various	10/26/09	Exhibits D.1 - D.3 to the Expert Report of Scott D. Hampton "Gamber-Johnson, LLC's Statements of Operations – May 1, 2007 – December 31, 2008", and documents cited therein	
417	Various	10/26/09	Exhibits E.1 – E.2 to the Expert Report of Scott D. Hampton "Gamber-Johnson, LLC's Marketing Expenses, May 1, 2007 – December 31, 2008", and documents cited therein	
418		10/26/09	Exhibit F to the Expert Report of Scott D. Hampton "National Products, Inc.'s Profit and Loss Statement, January 1, 2004 – July 31, 2009"	

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
419	Various	10/26/09	Exhibit G to the Expert Report of Scott D. Hampton "Mobile Mounting Solutions Sales to Comcast, October 31, 2007 – August 27, 2008", and documents cited therein	
420		10/26/09	Exhibit H.1 to the Expert Report of Scott D. Hampton "NPI's RAM Vehicle Base Category Monthly Sales Trend Analysis Chart, April 1, 2004 - August 31, 2009"	
421		10/26/09	Exhibit H.2 to the Expert Report of Scott D. Hampton "NPI's Ram Vehicle Base Category Monthly Sales Data Table, April 1, 2004 - August 31, 2009"	
422		10/26/09	Exhibit H.3 to the Expert Report of Scott D. Hampton "NPI's RAM Vehicle Base Category Monthly Sales Period 1 Statistics, April 1, 2004 - December 31, 2004"	
423		10/26/09	Exhibit H.4 to the Expert Report of Scott D. Hampton "NPI's RAM Vehicle Base Category Monthly Sales Period 2 Statistics, January 1, 2005 – April 30, 2007"	
424		10/26/09	Exhibit H.5 to the Expert Report of Scott D. Hampton "NPI's RAM Vehicle Base Category Monthly Sales Period 3 Statistics, May 1, 2007 – September 30, 2008"	
425		10/26/09	Exhibit H.6 to the Expert Report of Scott D. Hampton "NPI's RAM Vehicle Base Category Monthly Sales Period 4 Statistics, October 1, 2008 – August 31, 2009"	
426		11/30/09	Exhibit A to the Rebuttal Report of Scott D. Hampton "Documents Received After 10/26/09"	
427	Various	11/30/09	Exhibit B.1 to the Rebuttal Report of Scott D. Hampton "Profit Attributable to Gamber-Johnson's False Advertising, May 15, 2007 – December 31, 2008"	
428		11/30/09	Exhibit C.1 to the Rebuttal Report of Scott D. Hampton "NPI's RAM Vehicle Base Category Monthly Sales Trend Analysis Chart, April 1, 2004 – August 31, 2009"	
429		11/30/09	Exhibit C.2 to the Rebuttal Report of Scott D. Hampton "NPI's RAM Vehicle Base Category Monthly Sales Data Table, April 1, 2004 – August 31, 2009"	

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
430		11/30/09	Exhibit C.3 to the Rebuttal Report of Scott D. Hampton "NPI's RAM Vehicle Base Category Monthly Sales Period 1 Statistics, April 1, 2004 – December 31, 2004"	
431		11/30/09	Exhibit C.4 to the Rebuttal Report of Scott D. Hampton "NPI's RAM Vehicle Base Category Monthly Sales Period 2 Statistics, April 30, 2007"	
432		11/30/09	Exhibit C.5 to the Rebuttal Report of Scott D. Hampton "NPI's RAM Vehicle Base Category Monthly Sales Period 3 Statistics, May 1, 2007 – August 31, 2009"	
433		11/30/09	Exhibit D.1 to the Rebuttal Report of Scott D. Hampton "Differences Between Degen's Exclusions and Data Reported by Gamber-Johnson, January 2006 – December 2008"	
434		10/26/09	Exhibit A to the Expert Report of Stephen M. Nowlis "Vita of Stephen M. Nowlis"	
435		10/26/09	Exhibit B to the Expert Report of Stephen M. Nowlis "Materials Reviewed"	
436		10/26/09	Exhibit A to the Reply Report of Stephen M. Nowlis "Additional Materials Reviewed"	
437	Various	01/04/10	Exhibit N to the Declaration of Mark P. Walters in Support of Plaintiff's Opposition to Defendant's Motion for Summary Judgment "Production and Distribution Costs of <i>The Mounting Evidence</i> Video", and documents cited therein	
438	NPI000086- NPI000087		Air Bag Safety and RAM Mounting Systems	
439	GJ272642		Gamber-Johnson Air bag Safety	
441	GJ371809	7/30/09	Gamber-Johnson, LLC Statement of Operations Spreadsheet, 2009 ACTUAL	
442	NPI000020- NPI000021	06/28/07	J. Carnevali email to J. Carnevali et al re Gamber Johnson sales collateral	
448			Physical Exhibit – Gamber-Johnson Versatrue Mount	
449			Physical Exhibit – NPI Ball-and-Socket Mount	
451			Top 30 Sales Accounts for Gamber-Johnson, May 2007 – September 2008	
452			Prints from Gamber-Johnson website "About Us – Gamber Johnson – Car Laptop Manufacturer"	

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
454	Various	2007	Gamber-Johnson 2007 Marketing Team Weekly Meeting Notes	
455	Various	2008	Gamber-Johnson 2008 Marketing Team Weekly Meeting Notes	
461	NP0114793	2009	NPI Advertising Summary	
462	NPI010644 - NPI010647	3/16/2007	J. Carnevali email to D. Zerbst et al. re RAM Passive Dock for XR1 pdf Pictures	
463		2009	Best, Roger J. (2009), Market-Based Management: Strategies for Growing Customer Value and Profitability, Fifth Edition, Pearson-Prentice Hall, Upper Saddle River, NJ, Chapter 7	
464		1999	Braun, Kathryn (1999), "Postexperience Advertising Effects on Consumer Memory," Journal of Consumer Research, 25, 319-334	
465		2001	Chernev, Alexander and Gregory S. Carpenter (2001), "The Role of Market Efficiency Intuitions in Consumer Choice: A Case of Compensatory Inferences," Journal of Marketing Research, 38, p. 349.	
466		2008	Darke, Peter R., Laurence Ashworth, and Robin J.B. Ritchie (2008), "Damage from Corrective Advertising: Causes and Cures," Journal of Marketing, 72 (6), p. 82.	
467		1990	Ford, Gary T., Darlene B. Smith, and John L. Swasy (1990), "Consumer Skepticism of Advertising Claims: Testing Hypotheses from Economics of Information," Journal of Consumer Research, 16, 433-441.	
468		1997	Grewal, Dhruv, Sukumar Kavanoor, Edward F. Fern, Carolyn Costley, and James Barnes (1997), "Comparative Versus Noncomparative Advertising: A Meta-Analysis," Journal of Marketing, 61 (October), 1-15.	
469		1986	Hoch, Stephen J. and Young-Won Ha (1986), "Consumer Learning: Advertising and the Ambiguity of Product Experience," Journal of Consumer Research, 13, 221-233.	
470		2004	Hoyer, Wayne D. and Deborah J. MacInnis (2004), Consumer Behavior, Third Edition, Houghton-Mifflin Company, Boston, MA, page 126.	
471		2000	Kivetz, Ran and Itamar Simonson (2000), "The Effects of Incomplete Information on Consumer Choice," Journal of Marketing Research, 37, 427-448.	

PL's Trial Ex. No.	Batesrange	Date	Description	Depo. Ex. No.
472		2004	Leighton, Richard J. (2004), "Materiality and Puffing in Lanham Act False Advertising Cases: The Proofs, Presumptions, and Pretexts," The Trademark Reporter, 94, 3 (May-June), p. 587.	
473			Mazis, Michael B., "FTC v. Novartis: The Return of Corrective Advertising?," Journal of Public Policy & Marketing, 20, p. 117.	
474		1977	Nisbett, Richard E. and Timothy D. Wilson (1977), "Telling More Than We Can Know: Verbal Reports on Mental Processes," Psychological Review, 84, 231-259	
475		1983	Petty, Richard E., John T. Cacioppo, and David Schumann (1983), "Central and Peripheral Routes to Advertising Effectiveness: The Moderating Role of Involvement," Journal of Consumer Research, 10, 135-146.	
476		2000	S. Diamond (2000), Reference Guide on Survey Research, in Reference Manual on Scientific Evidence, (Federal Judicial Center ed.), p. 273.	
477		2007	Shimp, Terence A. (2007), Advertising, Promotion, and Other Aspects of Integrated Marketing Communications, 7th edition, Thomson South-Western: Mason, OH, p. 304-307.	
478		2000	Singh, Mandeep, Siva K. Balasubramanian and Goutam Chakraborty (2000), "A Comparative Analysis of Three Communication Formats: Advertising, Infomercial, and Direct Experience," Journal of Advertising, 29 (4), 59-75	
479		2008	Vascellaro, Jessica E. (2008), "Radio Tunes Out Google in Rare Miss for Web Titan," Wall Street Journal, May 12, p. 1.	
480			Miscellaneous NPI Photos	
481			Hands of Skill Book	

## 2. Defendant's Exhibits

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-9	TMA 000183-TMA 000191		Mounting Evidence description of statements	Hersey 1
A-30	GJ375118-GJ375143	9/30/05	Random Vibration, Sine Sweep Vibration, Mechanical Shock and Life Cycle Testing on Itronix T8_D Docking Station with Port Replicator	
A-36	GJ375043-GJ375052	12/19/05	Gamber Johnson/TD8 Vehicle Dock Simulated Crash Test	

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-38	GJ375053- GJ375085	3/6/06	Test Result Summary NP-Duo-Touch-ER	
A-39	GJ375086- GJ375117	3/6/06	Test Result Summary NP-Duo-Touch-R	
A-40	GJ375144- GJ375272	3/9/06	Test Result Summary NP-Duo-Touch-ER	
A-41	GJ375273- GJ375421	3/9/06	Test Result Summary NP-Duo-Touch-R	
A-42	GJ375426- GJ375429	3/10/06	Gamber Johnson Reduced Cost XR-1 and GD8000 Vehicle Dock Declaration of Conformity	
A-46	GJ375040- GJ375042	8/2/06	NSAI – EC Type Approval Certificate, NP-Touch- Duo	
A-50	GJ375422- GJ375425	12/10/06	Declaration of Conformity, Gamber-Johnson GoBook XR-1 Docking Station	
A-66	GJ359096- GJ359100	5/17/07	Connect 4 Tomorrow Competitive Comparison Sessions	
A-74	GJ000410	5/30/07	E-mail to Joel Herring et al re Ledco – “The Mounting Evidence”	
A-171	GJ224612- GJ224613	11/14/08	E-mail to Heather Simonson from Sales re CDW P/O #FDV6403	
A-173	SVP 02092	2/2/09	E-mail to Doug Mayer from Chad Remmers re New Tray	
A-174	MD002080	2/18/09	E-mail to Chad Remmers from Doug Mayer re Mediation phone call	
A-175		7/16/09	Third Amended Notice of Taking 30(b)(6) Deposition	Remmers 30b6 1
A-178		11/16/09	Expert Report of Carl Degen	
A-179		11/16/09	Expert Report of Dean Harris	
A-181		11/17/09	Expert Report of Ran Kivetz	Kivetz 400
A-186			Video of Gamber-Johnson Facility and Products	
A-187			Demonstrative Exhibit 1	
A-188			Demonstrative Exhibit 2	
A-189			Demonstrative Exhibit 3	
A-190			Demonstrative Exhibit 4	
A-191			Demonstrative Exhibit 5	
A-192			Demonstrative Exhibit 6	
A-193			Demonstrative Exhibit 7	
A-194			Demonstrative Exhibit 9	
A-195			Demonstrative Exhibit 10	
A-196			Demonstrative Exhibit 11	
A-197			Demonstrative Exhibit 12	
A-198			Demonstrative Exhibit 13	
A-199			Demonstrative Exhibit 14	
A-200			Demonstrative Exhibit 15	
A-213	GJ375432	11/25/09	GJ Monthly Sales 2004-2005	
A-214	GJ368909		Chart of Leads	Degen Expert Report
A-215	GJ375038		Chart showing customer name, number and customer type	Degen Expert Report

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-216	GJ023510	2006	Statement of Operations by Month	Degen Expert Report
A-217	GJ023512	2006	Statement of Operations by Month	Degen Expert Report
A-218	GJ023514	2006	Statement of Operations by Month	Degen Expert Report
A-219	GJ375037		Chart showing sales by product, by customer by month 2009-2009	Degen Expert Report
A-220	GJ307167- GJ307288	2008	Integrated Marketing Plan	Degen Expert Report
A-221	GJ083844- GJ083845	3/6/07	History of Gamber-Johnson	Degen Expert Report
A-222	GJ388166- GJ388205	2007	Integrated Marketing Plan	Degen Expert Report
A-223	GJ100910- GJ101122	6/07	Venture Development Corporation Report Mobile Device Accessories: Global Market Demand Analysis	Degen Expert Report
A-224	GJ214432- GJ214476	11/6/03	Solicitation from State of Kentucky for Mobile Data Computer Mounting System	Degen Expert Report
A-225	GJ189811- GJ189816		Request for Proposal for Vehicle Mounts Hydro One Networks Inc.,	Degen Expert Report
A-226	GJ212737- GJ212786	10/13/04	Request for Proposal from National Grid	Degen Expert Report
A-227	GJ214954- GJ214995		Request for Proposal City of Nashville	Degen Expert Report
A-228	GJ287278	2/27/06	E-mail from Jeff Greene to Glen Passin re Backlog Concerns	Degen Expert Report
A-229	GJ306594	7/27/07	E-mail from Jeff Greene to Joel Herring et al re Comtech	Degen Expert Report
A-230	GJ288841- GJ288844	4/19/06	E-mail from Kelly Sampson to Gerry Kuhnke et al re RAM Part Number – Comtech ECO0108	Degen Expert Report
A-231	GJ372415- GJ372419	11/15/09	Purchase Order from Comtech	Degen Expert Report
A-232	GJ374770- GJ374771	9/16/04	E-mail from Gerry Kuhnke to Bob Trembl et al re 7110-0545	Degen Expert Report
A-233	GJ373811- GJ373816	9/4/02	Memo re HMMWV History	Degen Expert Report
A-234	GJ373430- GJ373442	1/14/03	Testing results for Model 7110-0299 A-Kit Cradle	Degen Expert Report
A-235	GJ374315- GJ374328	12/1/99	Fax message re Shock Iso Selection	Degen Expert Report
A-236	GJ373933- GJ373956	12/00	Final Report for the Movement Tracking System	Degen Expert Report
A-237	GJ374135- GJ374153	6/14/01	Vibration Exposure Testing of Mobile Tracking System	Degen Expert Report
A-238	GJ339689		House Accounts – Joel Herring	Degen Expert Report

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-239	GJ372499- GJ372502	10/15/99	Fax from Joe Geutile to Jeff Greene re Letter of Intent for Movement Tracking System A-Kit Initial Development	Degen Expert Report
A-240	GJ343383- GJ343385		Memo to Board of Directors re January Month End Report	Degen Expert Report
A-241	GJ308515	5/8/07	E-mail from Tim Moore to Jeff Greene re MTS Pre-solicitation announced	Degen Expert Report
A-242	GJ232572	3/29/07	E-mail from Gerry Kuhnke to Joel Herring et al re Proposal for shock testing	Degen Expert Report
A-243	GJ235014- GJ235023	8/7/06	Gamber-Johnson Quality Report August 2006	Degen Expert Report
A-244	NPI 11261	3/16/07	E-mail from Chad Remmers to Aaron Hersey re RAM Dealer Inquiry	Degen Expert Report
A-245	GJ063072- GJ063082		Presentation from Connect 4 Tomorrow Conference	Degen Expert Report
A-246	NPI06903- NPI06906	11/7/07	E-mail from Doug Mayer to Chad Remmers re Locking Top	
A-247	GJ307167- GJ307228	1/1/08	Integrated Marketing Plan 2008	Kivetz Expert Report
A-248	GJ347703		2008 Reseller Promotion Official Rules	Kivetz Expert Report
A-249	TMA00256- TMA 00257		Copy of Cover to Mounting Evidence CD sleeve.	Kivetz Expert Report
A-250	GJ151375- GJ151405		Chamberlin Research Consultants marketing survey	Kivetz Expert Report
A-251	NPI 000086- NPI 000087		Air Bag Safety and Ram Mounting Systems	Harris Expert Report
A-252	NPI 00861- NPI 00864	4/22/08	E-mail from Jeff Carnevali to Erik Seymour et al re Model Train Holder	Harris Expert Report
A-253	NPI 00871- NPI 00873	4/15/08	E-mail from Patrick Hanson to Aaron Hersey re CoStar	Harris Expert Report
A-254	NPI 00874- NPI 00875	4/15/08	E-mail from Patrick Hanson to Aaron Hersey re CoStar	Harris Expert Report
A-255	NPI 00876	4/14/08	E-mail from Patrick Hanson to Erik Seymour et al re Hutton Communications	Harris Expert Report
A-256	NPI 00880- NPI 00889	4/2/08	E-mail from Patrick Hanson to Aaron Hersey re Hutton-Gamber Comparison	Harris Expert Report
A-257	NPI 01198- NPI 01201	7/27/07	E-mail from Chad Remmers to Mike Thursby re RPU-315U drawings	Harris Expert Report
A-258	NPI 02397- NPI 02402	12/8/07	E-mail from Chris Long to Jeff Carnevali re Advertising Change at RAM mount / NPI	Harris Expert Report
A-259	NPI 02832- NPI 02837		Chart RAM products vs. GJ products	Harris Expert Report
A-260	NPI 03990- NPI 03995	11/2/07	E-mail from Aaron Hersey to Chad Remmers et al re RAM Mount for Fujitsu LifeBook U810	Harris Expert Report
A-261	NPI 06572- NPI 06574	5/22/2007	E-mail from Jeff Carnevali to Chad Remmers et al re Certified	Harris Expert Report
A-262	NPI 06802- NPI 06803	7/25/08	E-mail from Erik Seymour to Dave Wilkinson re Ram Mount Exchange	Harris Expert Report



Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-263	NPI 06947- NPI 06949	5/25/07	E-mail from William Goldberg to Chad Remmers re Certified	Harris Expert Report
A-264	NPI 06895- NPI 06897	9/12/07	E-mail from Aaron Hersey to Joseph Geiger re Comcast Cable Study	Harris Expert Report
A-265	NPI 07374- NPI 07375	4/18/08	E-mail from Erik Seymour to Ken Traver re RAM Mounting Systems	Harris Expert Report
A-266	NPI 08887- NPI 08890	11/6/07	E-mail from Cody Gilean to Chad Remmers re Monitor Display Cradle	Harris Expert Report
A-267	NPI 08944- NPI 08955	6/16/06	E-mail from Terry Green to Jeff Carnevali re New RAM Mount Products	Harris Expert Report
A-268	NPI 10370- NPI 10371	9/4/06	E-mail from Brad Vier to Jeff Carnevali et al re Fan Direction Bandera RAM mount testing	Harris Expert Report
A-269	NPI 10483	12/21/07	E-mail from Chad Remmers to Brian Anderson re RAM Mount testing	Harris Expert Report
A-270	NPI 11320- NPI 11321	3/11/07	E-mail from David Wilkinson to Jack Kropp re Install Issues	Harris Expert Report
A-271	NPI 09142	10/24/07	E-mail from Daniel Krebs to Chad Remmers re RAM Mount Reliability	Harris Expert Report
A-272	GJ272642		Air Bag Safety Memo	Harris Expert Report
A-273	COMCAST 00001-	9/13/07	Quotation from Mobile Mounting Solutions to Comcast, ATTN: Dennis Jones	Harris Expert Report
A-274	COMCAST 00002- COMCAST 00004		Presentation from Mobile Desk to Comcast re Mounting Options	Harris Expert Report
A-275	COMCAST 00007- COMCAST 00008	4/10/08	Purchase order from Comcast to Assembled Products Corp. re Jotto Desk Vehicle Laptop Desks and Locking Systems.	Harris Expert Report
A-276	COMCAST 00009- COMCAST 00012	8/9/07	E-mail from Blenda East to Joshua Simes et al re quote from Jotto Desk	Harris Expert Report
A-277	COMCAST 00013- COMCAST 00015	8/24/07	E-mail from Doug Mayer to Dennis Jones et al re photos of Mobile Desk Mounting Systems	Harris Expert Report
A-278	COMCAST 00021- COMCAST 00028		Presentation from Mobile Desk to Comcast re Mounting Options	Harris Expert Report
A-279			Plaintiff National Products, Inc.'s Subpoena to ComTech Mobile Datacom Corporation	
A-280	NPI15998- NPI16274	11/30/94	NHTSA report of 1995 Ford Crown Victoria NCAP Test	

Def.'s Trial Ex. No.	Bates range	Date	Description	Depo Ex. No.
A-281	NPI16275- NPI16563	12/30/96	NHTSA report of 1995 Ford Crown Victoria FVMSS 214 test	
A-282			Gamber-Johnson 2008 Mounting Solutions Catalog	
A-283			Gamber-Johnson 2009 Mounting Solutions Catalog	
A-284	GJ223032	5/14/07	Request for Proposal for Movement Tracking System (MTS) A-Kit Integration and Kitting	
A-285	GJ282240		Chart Comtech Mobile Datacom RFP	
A-287			RAM Vehicle Mounting Catalog from RAM Website	

1 **IX. ACTION BY THE COURT**

2  
3 **IT IS SO ORDERED.**

4 DATED this \_\_\_\_ day of \_\_\_\_\_, 2010.

5  
6  
7 \_\_\_\_\_  
8 Honorable James L. Robart  
9 U.S. District Court Judge  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

1 Approved as to form and  
2 Respectfully submitted by:

3 FENWICK & WEST LLP

4 By:s/ David K. Tellekson

David K. Tellekson, WSBA No. 33523

5 Ewa M. Davison, WSBA No. 39524

Virginia K. DeMarchi (*pro hac vice*)

6 Patrick E. Premo (*pro hac vice*)

Todd R. Gregorian (*pro hac vice*)

7 1191 Second Avenue, 10th Floor

Seattle, WA 98101

8 Phone: 206-389-4564

9 Fax: 206-389-4511

Email: dtellekson@fenwick.com

10 *Attorneys for Plaintiff National Products, Inc.*

11  
12 LEFFERT JAY & POLGLAZE, P.A.

13 By:s/Jonathan D. Jay

Jonathan D. Jay, MN Bar #18603x

14 Nicholas S. Kuhlmann, MN Bar #33750x

15 150 South Fifth Street, Suite 1900

Minneapolis, Minnesota 55402

16 Telephone: (612) 312-2000

Facsimile: (612) 312-2250

Email: jjay@ljp-iplaw.com

17 nkuhlmann@ljp-iplaw.com

Admitted *Pro Hac Vice*

18 Mark S. Parris, WSBA No. 13870

19 Charles J. Ha, WSBA No. 34430

Orrick, Herrington & Sutcliffe LLP

20 719 Second Avenue, Suite 900

Seattle, Washington 98104

21 Telephone: (206) 839-4300

Facsimile: (206) 839-4301

22 Email: mparris@orrick.com

cha@orrick.com

23 *Attorneys for Defendant Gamber Johnson*

**CERTIFICATE OF SERVICE**

I, Sharie L. Parks, hereby certify that on March 25, 2010, I caused the foregoing  
**[PROPOSED] SECOND AMENDED FINAL PRETRIAL ORDER** to be served on the  
following parties as indicated below:

<b>Mark S. Parris</b> ORRICK HERRINGTON & SUTCLIFFE LLP 701 Fifth Avenue, Ste. 5700 Seattle, WA 98104-7097  <i>Attorneys for Defendant Gamber-Johnson LLC</i>	<input type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger <input checked="" type="checkbox"/> <b>By Electronic CM/ECF</b> <input type="checkbox"/> By Overnight Express Mail <input type="checkbox"/> By Facsimile <input type="checkbox"/> By Email [by agreement of counsel] mparris@orrick.com
<b>Jonathan D. Jay</b> <b>Nicholas S. Kuhlmann</b> <b>Terrance C. Newby</b> LEFFERT JAY & POLGLAZE, P.A. 150 South Fifth Street, Suite 1900 Minneapolis, MN 55402  <i>Attorneys for Defendant Gamber-Johnson LLC</i>	<input type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger <input checked="" type="checkbox"/> <b>By Electronic CM/ECF</b> <input type="checkbox"/> By Overnight Express Mail <input type="checkbox"/> By Facsimile <input type="checkbox"/> By Email [by agreement of counsel] jjay@ljp-iplaw.com nkuhlmann@ljp-iplaw.com tnewby@ljp-iplaw.com

DATED: March 25, 2010

s/ Sharie L. Parks  
for David K. Tellekson, WSBA No. 33523  
FENWICK & WEST LLP